

**OFFICIAL JOURNAL**  
**OF THE**  
**HOUSE OF**  
**REPRESENTATIVES**  
**OF THE**  
**STATE OF LOUISIANA**

**NINTH DAY'S PROCEEDINGS**

**Thirty-sixth Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

House of Representatives  
State Capitol  
Baton Rouge, Louisiana

Tuesday, April 13, 2010

The House of Representatives was called to order at 2:00 P.M., by the Honorable Joel Robideaux, Speaker Pro Tempore of the House of Representatives.

**Morning Hour**

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. Speaker	Gallot	Monica
Abramson	Geymann	Montoucet
Anders	Gisclair	Morris
Armes	Greene	Norton
Arnold	Guillory	Nowlin
Aubert	Guinn	Pearson
Badon, A.	Hardy	Perry
Badon, B.	Harrison	Ponti
Baldone	Hazel	Pope
Barras	Henderson	Pugh
Barrow	Henry	Richard
Billiot	Hill	Richardson
Brossett	Hines	Richmond
Burford	Hoffmann	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hutter	Roy
Burrell	Jackson G.	Schroder
Carmody	Jackson M.	Simon
Carter	Johnson	Smiley
Champagne	Jones, R.	Smith, G.
Chandler	Jones, S.	Smith, J.
Chaney	Katz	Smith, P.
Connick	Kleckley	St. Germain
Cortez	LaBruzzo	Stiaes
Cromer	LaFonta	Talbot
Danahay	Lambert	Templett
Dixon	Landry	Thibaut
Doerge	LeBas	Thierry
Dove	Leger	Waddell
Downs	Ligi	White
Edwards	Little	Williams

Ellington  
Fannin  
Foil  
Franklin  
Total - 103

Lopinto  
Lorusso  
McVea  
Mills

Willmott  
Wooton

ABSENT

Total - 0

The Speaker announced that there were 103 members present and a quorum.

**Prayer**

Prayer was offered by Mrs. Linda Hardee, Mayor of Kaplan.

**Pledge of Allegiance**

Rep. Chandler led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Ms. Laura Couvillon sang the *National Anthem*.

**Reading of the Journal**

On motion of Rep. Chaney, the reading of the Journal was dispensed with.

On motion of Rep. Greene, the Journal of April 12, 2010, was adopted.

**Petitions, Memorials, and  
Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**SENATE BILLS**

April 13, 2010

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 36, 50, 148, 159, 189, 207, 216, 322, 323, 467, 605, 663, and 664

Respectfully submitted,

GLENN A. KOEPP  
Secretary of the Senate

**Senate Bills and Joint Resolutions  
on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

**SENATE BILL NO. 36—**

BY SENATORS THOMPSON, LONG, NEVERS, RISER, SMITH AND  
WALSWORTH

AN ACT

To enact R.S. 3:2093(10) and 2095.1, relative to the Louisiana Board of Animal Health; to require the board to adopt rules and regulations establishing standards governing the care and well-being of bovine, equine, ovine, caprine, porcine, and poultry; to prohibit local ordinances, laws, subdivision restrictions or regulations establishing standards applicable to the care and

## Page 2 HOUSE

9th Day's Proceedings - April 13, 2010

well-being of bovine, equine, ovine, caprine, porcine, and poultry; and to provide for related matters.

Read by title.

### SENATE BILL NO. 50—

BY SENATORS THOMPSON, LONG, NEVERS, RISER, SMITH AND WALSWORTH

AN ACT

To enact R.S. 49:191(5)(b) and to repeal R.S. 49:191(3)(i), relative to the Department of Agriculture and Forestry, including provisions to provide for the re-creation of the Department of Agriculture and Forestry and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

### SENATE BILL NO. 148—

BY SENATORS THOMPSON, LONG, NEVERS, RISER, SMITH AND WALSWORTH

AN ACT

To amend and reenact R.S. 3:264(F), the introductory paragraph of 556.3(B), 556.4(B), 559.4(I), 559.23(I), 732(D), 904(A), 1431(2), 1433(A)(3), 1440, 1604(A)(2) and (3), 1742(1), 1743(A), 2062, 2091(L), the introductory paragraph of 2097(A), 3206, 3211(B)(2), 3366(B)(2), the introductory paragraph of 3801(C), 3808(E)(4)(a) and (b), 4153(1) and (2), 4156(2), 4157(D), 4158(A), 4159(A), 4160(A), and 4602(21), to enact R.S. 3:732(B)(1)(j) and 1433(A)(4), (5), (6), and (7) and to repeal R.S. 3:6, 7, 8, 9, 15, and 3366(B)(3), relative to the Department of Agriculture and Forestry; to provide relative to membership of various boards and commissions; to provide relative to voting, officers and meetings; to provide relative to stop orders; to provide relative to definitions; to provide for technical corrections; to repeal statistics requirements; to repeal provisions related to the registration of land; to repeal the Weather Modification Program; and to provide for related matters.

Read by title.

### SENATE BILL NO. 159—

BY SENATOR MURRAY

AN ACT

To authorize and provide for a cooperative endeavor agreement for use of certain state property in Orleans Parish with the city of New Orleans; to provide for an effective date; and to provide for related matters.

Read by title.

### SENATE BILL NO. 189—

BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:4405 and R.S. 35:199(A)(2)(a) and (b), relative to notarial instruments; to remove requirements that acts of sale or other acts evidencing a transfer of immovable property situated in the parish of Orleans be filed with the assessor; to provide for an effective date; and to provide for related matters.

Read by title.

### SENATE BILL NO. 207—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 39:198(D)(2) and (8), relative to contracts for fiscal intermediary services in processing claims of health care providers; to provide for submission of justification for the issuance of a solicitation for proposal; to

provide for the exercise of an option to renew; to provide for public hearings; and to provide for related matters.

Read by title.

### SENATE BILL NO. 216—

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 40:2010.8(A)(2)(a) and (b), (6), (8), (10), (12), (13) and (21), and to enact R.S. 40:2010.8(A)(2)(c) and (d), relative to the nursing home resident's bill of rights; to provide for certain rights; and to provide for related matters.

Read by title.

### SENATE BILL NO. 322—

BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 9:392(A)(introductory paragraph), (7)(a) and (b), and (B) and 399.1, relative to paternity; to provide for acknowledgments of paternity; to provide terminology to include both parents; to provide for the inclusion of certain information; to provide for the dismissal of a paternity judgment; to provide for the burden of proof; to provide exceptions; to provide for genetic testings; to provide for the filing of tests results; and to provide for related matters.

Read by title.

### SENATE BILL NO. 323—

BY SENATOR QUINN

AN ACT

To amend and reenact R.S. 46:236.1.2(B)(2), relative to family and child support programs; to provide relative to the access and visitation program; to provide relative to the Department of Social Services; to provide for the standing of attorneys affiliated with the access and visitation program; to authorize attorneys affiliated with the access and visitation program to appear in court for certain purposes; to provide for the obtaining and enforcing of a court order for visitation or child support; and to provide for related matters.

Read by title.

### SENATE BILL NO. 467—

BY SENATOR LONG

AN ACT

To amend and reenact R.S. 46:285, relative to required training for child protection and foster care workers; to provide for deemed status for certain training; and to provide for related matters.

Read by title.

### SENATE BILL NO. 605—

BY SENATOR MARTINY AND REPRESENTATIVES BILLIOT, GISCLAIR, LABRUZZO, LIGI, LOPINTO AND TEMPLET

AN ACT

To amend and reenact R.S. 13:967(C)(1), (J) and (L), to enact R.S. 13:967(M), and to repeal Act No. 77 of the 2009 Regular Session of the Legislature, relative to the Twenty-Fourth Judicial District; to provide for the establishment of an indigent transcript fund; to provide for court reporter fees; to provide for an effective date; and to provide for related matters.

Read by title.

### SENATE BILL NO. 663—

BY SENATOR HEBERT

AN ACT

To amend and reenact the introductory paragraph of R.S. 22:1295(1)(d), relative to uninsured motorist coverage; to provide with respect to minimum collision coverage amounts; and to provide for related matters.

Read by title.

**SENATE BILL NO. 664—**  
BY SENATOR HEBERT

AN ACT

To enact R.S. 22:1123(E), relative to medical necessity review organizations; to provide for required notifications to the commissioner of insurance upon changes in fact or circumstance; and to provide for related matters.

Read by title.

**Introduction of Resolutions,  
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE CONCURRENT RESOLUTION NO. 107—**  
BY REPRESENTATIVE WILLIAMS

A CONCURRENT RESOLUTION

To urge and request each member of the Legislature of Louisiana to host an Obesity Awareness Walk within the member's district and to designate April 13, 2010, as "Obesity Awareness Day".

Read by title.

On motion of Rep. Williams, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**Introduction of House Bills  
and Joint Resolutions**

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

**HOUSE BILL NO. 658—**  
BY REPRESENTATIVE RITCHIE AND SENATOR B. GAUTREAUX

AN ACT

To amend and reenact R.S. 11:701(10), (11), and (33)(a)(xii) and (b)(i) and 728(A)(4), (C)(1)(a) and (b)(ii) and (iii) and (2) and R.S. 17:3997(A)(2), (3), and (4) and to enact R.S. 11:701(33)(a)(xiii) and 728(G), relative to the Teachers' Retirement System of Louisiana; to provide that membership in such system includes certain charter school employees; to provide an effective date; and to provide for related matters.

Read by title.

**House and House Concurrent Resolutions  
Lying Over**

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

**HOUSE RESOLUTION NO. 26—**  
BY REPRESENTATIVE LIGI

A RESOLUTION

To amend and readopt House Rule 6.3(B) of the Rules of Order of the House of Representatives to increase the number of members who may serve on the House and Governmental Affairs Committee.

Read by title.

Under the rules, the above resolution was referred to the Committee on House and Governmental Affairs.

**HOUSE CONCURRENT RESOLUTION NO. 97—**  
BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To authorize and direct the executive head and chief administrative officer of each state department to annually compile and report information regarding the delivery of services to Spanish-speaking persons with limited English proficiency to the Latino Commission.

Read by title.

Under the rules, the above resolution was referred to the Committee on Appropriations.

**HOUSE CONCURRENT RESOLUTION NO. 99—**  
BY REPRESENTATIVE GUILLOREY

A CONCURRENT RESOLUTION

To urge and request all cable and satellite television providers serving the citizens of Louisiana to provide access to all three Louisiana Public Broadcasting channels to their customers.

Read by title.

Under the rules, the above resolution was referred to the Committee on Commerce.

**HOUSE CONCURRENT RESOLUTION NO. 103—**  
BY REPRESENTATIVE MICHAEL JACKSON

A CONCURRENT RESOLUTION

To urge and request the House Committee on Ways and Means and the Senate Committee on Revenue and Fiscal Affairs to meet and consider the impact of potential changes in the amount of the individual income tax deduction for excess federal itemized deductions.

Read by title.

Under the rules, the above resolution was referred to the Committee on Ways and Means.

**HOUSE CONCURRENT RESOLUTION NO. 105—**  
BY REPRESENTATIVE ELLINGTON

A CONCURRENT RESOLUTION

To oppose measures which would require health-related warning labels on wireless devices and packaging or require disclosure of any health-related information about wireless devices at the point of sale.

Read by title.

Under the rules, the above resolution was referred to the Committee on Commerce.

**Senate Concurrent Resolutions  
Lying Over**

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 37—**  
BY SENATOR BROOME AND REPRESENTATIVE WILLIAMS

A CONCURRENT RESOLUTION

To urge and request each member of the Louisiana Legislature to host an Obesity Awareness Walk within the member's district and to designate April 13, 2010, as "Obesity Awareness Day."

Read by title.

## Page 4 HOUSE

9th Day's Proceedings - April 13, 2010

On motion of Rep. Williams, and under a suspension of the rules, the resolution was concurred in.

### House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

#### HOUSE BILL NO. 540—

BY REPRESENTATIVE GISCLAIR

AN ACT

To enact R.S. 38:301(C)(1)(b)(iii), (2)(h), and (4), relative to the South Lafourche Levee District; to provide relative to the appropriation of property by the district; to provide relative to notification of property owners; to provide relative to challenges to an appropriation or compensation paid for appropriated property; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

#### HOUSE BILL NO. 654—

BY REPRESENTATIVE ABRAMSON

AN ACT

To enact Chapter 1-A of Subtitle VII of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:6080 and 6081, relative to sales and use tax rebates; to establish the Greater New Orleans Biosciences Economic Development District Tax Rebate program; to provide for a state and local sales and use tax rebate program in Jefferson and Orleans parishes; to provide for certain eligibility requirements and limitations; to provide for the payment of such rebates; to provide for the administration of the program; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

#### HOUSE BILL NO. 655—

BY REPRESENTATIVE BALDONE

AN ACT

To enact R.S. 15:1108, relative to juveniles; to create a pilot program in Terrebonne Parish; to provide with respect to juvenile services and programs; to authorize the use of cooperative endeavor agreements; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

#### HOUSE BILL NO. 656—

BY REPRESENTATIVE GISCLAIR

AN ACT

To amend and reenact R.S. 56:722.1, relative to the Lafourche Parish Game and Fish Commission; to authorize the commission to govern, regulate, and control Lake Long; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources and Environment.

#### HOUSE BILL NO. 715—

BY REPRESENTATIVE GUINN

AN ACT

To enact R.S. 33:4581, relative to the creation of a flyway byway district in Jefferson Davis Parish; to provide for the purpose of the district; to provide the boundaries of the district; to provide for the governance and organization of the district; to provide the powers of the district; to provide for cooperation with state agencies and departments; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

#### HOUSE BILL NO. 910—

BY REPRESENTATIVE MILLS

AN ACT

To enact R.S. 3:2779 and 3015, relative to the regulation of dogs and livestock running at large in St. Martin Parish; to provide for seizure and impoundment; to provide for notification; to provide for sale of unclaimed livestock; to provide for disposition of proceeds; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

#### HOUSE BILL NO. 911—

BY REPRESENTATIVE SIMON

AN ACT

To amend and reenact Paragraph (A)(7) of Section 2 of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 353 of the 1986 Regular Session of the Legislature, Act No. 999 of the 1991 Regular Session of the Legislature, Act No. 570 of the 1992 Regular Session of the Legislature, Act No. 440 of the 1997 Regular Session of the Legislature, and Act Nos. 562 and 1214 of the 2003 Regular Session of the Legislature, relative to hospital service districts; to provide relative to the St. Tammany Parish Hospital Service District No.1, to provide relative to the governing board of the district; to increase the maximum amount of per diem authorized to be paid to members of the board; to increase the number of meetings for which members may receive per diem; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

#### HOUSE BILL NO. 1104—

BY REPRESENTATIVE ROBIDEAUX

AN ACT

To enact Chapter 13-M of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.201, to create the Lafayette Parish Redevelopment Authority; to provide for the formation of a program or programs in the parish of Lafayette for the use of appropriate private and public resources to eliminate and prevent the development or spread of slum, blighted, and distressed areas; to allow the rehabilitation, clearance, and redevelopment of slum, blighted, and distressed areas; to provide for the expeditious conversion of blighted or underused property into habitable residential dwellings in the parish of Lafayette; to define the duties, liabilities, authority, and functions of the redevelopment authority; to authorize public bodies to furnish funds, services, facilities, and property in aid of redevelopment projects; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**HOUSE BILL NO. 1127—**

BY REPRESENTATIVE GIROD JACKSON  
AN ACT

To enact R.S. 33:2740.70.1, relative to economic development districts; to create the West Jefferson Economic Development District in Jefferson Parish; to provide for district boundaries, purpose, and governance; to provide relative to the powers and duties of the district; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**HOUSE BILL NO. 1188—**

BY REPRESENTATIVE HARDY  
AN ACT

To enact R.S. 17:62.1; relative to the Lafayette Parish school system; to provide relative to guidelines and procedures regarding the transportation of students on field trips within or outside the geographic boundaries of the school system, including equipment used, driver compensation, and operational costs; to provide limitations; to provide applicability; to provide effectiveness; to provide an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

**HOUSE BILL NO. 1262—**

BY REPRESENTATIVE MILLS  
AN ACT

To amend and reenact R.S. 37:922(A), (D), and (E) and R.S. 44:4.1(B)(21) and to enact R.S. 37:922(F) and (G), relative to the Louisiana State Board of Nursing; to provide for hearings; to provide for access to records; to provide for notification; to provide for procedure at hearings; to provide for an exception to public records law; to provide for records sharing; to provide for reporting; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

**HOUSE BILL NO. 1263—**

BY REPRESENTATIVE CARMODY  
AN ACT

To enact Part III of Chapter 8 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:977.21 through 977.22, relative to psychiatric care for children and adolescents; to create the Child and Adolescent Psychiatric Care Reform Act; to provide for legislative findings; to provide for certain duties of the Department of Health and Hospitals relating to psychiatric care for children and adolescents; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

**HOUSE BILL NO. 1264—**

BY REPRESENTATIVE LAFONTA  
AN ACT

To enact R.S. 14:56.5, relative to damage to property; to create the crime of criminal damage to historic buildings and landmarks by defacing with graffiti; to provide for penalties; to provide for definitions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**HOUSE BILL NO. 1265—**

BY REPRESENTATIVE ARMES  
AN ACT

To authorize and provide for the transfer or lease of certain state property in Vernon Parish from the Department of Transportation and Development to the Vernon Parish Police Jury; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources and Environment.

**HOUSE BILL NO. 1266—**

BY REPRESENTATIVE BARRAS  
AN ACT

To authorize and provide for the transfer or lease of certain state property in Iberia Parish from the division of administration to Dr. John Hebert; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources and Environment.

**HOUSE BILL NO. 1267—**

BY REPRESENTATIVE BROSSETT  
AN ACT

To amend and reenact R.S. 39:6(C), relative to the duties of the commissioner of administration; to require that certain information concerning state contracts be included on the state spending website; to provide for effectiveness; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Appropriations.

**HOUSE BILL NO. 1268—**

BY REPRESENTATIVE BROSSETT  
AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

## Page 6 HOUSE

9th Day's Proceedings - April 13, 2010

### HOUSE BILL NO. 1269—

BY REPRESENTATIVE GIROD JACKSON  
AN ACT

To amend and reenact R.S. 15:1403.1(B), relative to criminal street gangs; to provide with respect to the crime of solicitation of membership in a criminal street gang; to provide for penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

### HOUSE BILL NO. 1270—

BY REPRESENTATIVE GREENE  
AN ACT

To enact R.S. 47:337.67(D)(5) and 1580(C)(4), relative to suspension and interruption of the prescription period for certain taxes, licenses, interest, penalties, or other charges; to prohibit the suspension or interruption of prescription under certain circumstances; to provide for certain requirements; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Ways and Means.

### HOUSE BILL NO. 1271—

BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 40:1232.2(B)(1)(introductory paragraph) and (b) and to enact R.S. 40:1232.2(B)(1)(d) and (e), relative to the Louisiana Emergency Medical Services Certification Commission; to provide for membership; to provide for a date for change of certain membership; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

### HOUSE BILL NO. 1272—

BY REPRESENTATIVE HENRY BURNS  
AN ACT

To enact R.S. 40:1379.3(D)(3), relative to concealed handgun permits; to authorize the use of fixed-case marking projectiles for handgun competency training; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

### HOUSE BILL NO. 1273—

BY REPRESENTATIVE GUINN  
AN ACT

To direct the Department of Transportation and Development to install "caution" lights at the intersection of Louisiana Highway 101 and Louisiana Highway 165 in Jefferson Davis Parish and to reduce the speed limit on Louisiana Highway 101 and Louisiana Highway 165.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

### HOUSE BILL NO. 1274—

BY REPRESENTATIVE MONICA  
AN ACT

To amend and reenact R.S. 32:414(B)(2)(b), relative to driver's license suspension; to provide for a restricted driver's license after a certain amount of time following driver's license suspension; to provide for the installment of interlock devices; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Transportation, Highways and Public Works.

### HOUSE BILL NO. 1275—

BY REPRESENTATIVE NOWLIN  
AN ACT

To amend and reenact R.S. 37:1281(B), relative to certain additional fees for the issuance, renewal, or reinstatement of physician licenses, permits, certificates, or registrations; to authorize the Louisiana State Board of Medical Examiners to increase the annual fee utilized for identification, monitoring, assistance, and procurement of treatment of physicians suffering from behavioral, psychiatric, or physical conditions which may interfere with their ability to practice medicine; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

### HOUSE BILL NO. 1276—

BY REPRESENTATIVES HARDY, BARRAS, BILLIOT, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, GUILLORY, HOFFMANN, LABRUZZO, LEGER, LIGI, MILLS, POPE, PUGH, RICHARD, JANE SMITH, TALBOT, TEMPLET, THIBAUT, AND WHITE AND SENATORS ALARIO, APPEL, BROOME, LONG, MARTINY, MORRELL, MOUNT, AND WALSWORTH  
AN ACT

To amend and reenact R.S. 17:493(A) and (C) and to enact R.S. 17:491.3 and 3996(B)(24), relative to school bus operators; to require a school bus operator to report his arrest for specified offenses involving operating a vehicle; to provide relative to guidelines, procedures, and timelines for such reporting; to provide relative to administration; to provide definitions; to provide applicability; to provide relative to the failure of the operator to report; to provide effectiveness; to provide an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Education.

## Motion

On motion of Rep. Foil, the Committee on Transportation, Highways and Public Works was discharged from further consideration of House Bill No. 897.

### HOUSE BILL NO. 897—

BY REPRESENTATIVE FOIL  
AN ACT

To amend and reenact R.S. 30:2054(B)(8) and R.S. 32:1306(C)(3)(a) and (4), relative to motor vehicle inspection and maintenance programs; to require certain motor vehicle inspections in certain ozone nonattainment areas; and to provide for related matters.

Read by title.

On motion of Rep. Foil, the bill was recommitted to the Committee on Natural Resources and Environment.

**Speaker Tucker in the Chair**

**Senate Bills and Joint Resolutions on Second Reading to be Referred**

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

**SENATE BILL NO. 35—**

BY SENATORS THOMPSON, LONG, NEVERS, RISER, SMITH AND WALSWORTH

**AN ACT**

To enact R.S. 3:1(5), relative to agriculture definitions; to provide for the definition of sustainable agriculture; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

**SENATE BILL NO. 40—**

BY SENATOR LONG

**AN ACT**

To repeal R.S. 13:997, relative to the Natchitoches Parish Law Library Commission; to abolish such commission; to transfer the property, assets, and revenues of the commission to the Tenth Judicial District Court; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

**SENATE BILL NO. 92—**

BY SENATOR MURRAY

**AN ACT**

To enact R.S. 18:1485(F), relative to campaign finance reporting requirements; to provide relative to procedures for the filing of certain reports electronically; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

**SENATE BILL NO. 118—**

BY SENATOR LONG

**AN ACT**

To amend and reenact Code of Civil Procedure Article 4843(F), relative to city courts; to increase the civil jurisdictional amount in dispute in the city court of Winnfield; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

**SENATE BILL NO. 127—**

BY SENATOR ADLEY

**AN ACT**

To authorize and provide for the transfer of certain state properties; to provide for the acceptance of certain properties by the Department of Wildlife and Fisheries; to provide for the property descriptions; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources and Environment.

**SENATE BILL NO. 135—**

BY SENATOR DUPLESSIS

**AN ACT**

To enact R.S. 22:978(A)(3) and (4), relative to health and accident insurance; to provide for notification to the insured of the policy renewal premium; to provide with respect to responses to written requests for quotes and utilization data; to provide for penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

**SENATE BILL NO. 145—**

BY SENATOR THOMPSON

**AN ACT**

To amend and reenact R.S. 3:4617(C), 4734(G)(2) and (3), and 4735(B), relative to the definition of catfish; to provide that the definition of catfish includes certain families; to provide for technical corrections; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

**SENATE BILL NO. 146—**

BY SENATOR THOMPSON

**AN ACT**

To amend and reenact the heading of Part I of Chapter 19-A of Title 3 of the Louisiana Revised Statutes of 1950, R.S. 3:3101, 3102(A) and 3104, relative to regulation of farm-raised exotic animals; to authorize the commissioner to adopt rules and regulations setting forth the requirements for the raising, slaughtering, and sale of exotic cervidae for commercial purposes; to require a license; to provide relative to fencing requirements; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

**SENATE BILL NO. 147—**

BY SENATOR THOMPSON

**AN ACT**

To amend and reenact R.S. 3:3402(4), 3403(C), 3405(B)(2), the introductory paragraph of 3407(A), 3410(D), 3410.2(D)(4), the introductory paragraph of 3410.2(F), 3411(B), 3414.3(L), 3414.4(B), 3419(D) and 3422(D) and to repeal Subpart B of Part V of Chapter 6 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:691 through 695, Subpart C of Part V of Chapter 6 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:697 through 699, 3405(B)(1), 3409(I), 3414.3(E) and 3415(B), relative to agricultural commodities; to provide for changes in the Agricultural Commodity Dealer and Warehouse Law; to provide relative to seizure of facilities; to repeal grain dealer license exams; to provide relative to moisture measuring devices and to repeal obsolete provisions related thereto; to repeal certain certification requirements related to grain sampling; to repeal certain licensure requirements concerning weighmasters; to repeal certain policies for sampling and grading grain; to repeal provision requiring design approval for scale tickets; to provide for technical corrections; and to provide for related matters.

## Page 8 HOUSE

9th Day's Proceedings - April 13, 2010

Read by title.

Under the rules, the above bill was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

### **SENATE BILL NO. 149—**

BY SENATOR THOMPSON

AN ACT

To amend and reenact R.S. 3:4201(12) and 4203 and to enact R.S. 3:4201(22), relative to slaughtering livestock; to provide for the definition of the "Federal Humane Methods of Livestock Slaughter Act"; to provide relative to humane methods of slaughter; to require inspections of slaughtering establishments; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Agriculture, Forestry, Aquaculture, and Rural Development.

### **SENATE BILL NO. 196—**

BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 46:1403(A)(2) and 1404(B) and to enact R.S. 46:1403(A)(11) and to repeal Chapter 15 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1451 through 1459, relative to child-placing agencies; to expand the definition of a child-placing agency; to provide for licensure of transitional youth residences as child-placing agencies; to provide an exemption to licensure of child-placing agencies operated by the Department of Social Services; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

### **SENATE BILL NO. 199—**

BY SENATORS MARTINY, APPEL, MORRELL AND QUINN AND REPRESENTATIVES BILLIOT, CONNICK, GISCLAIR, LABRUZZO AND TALBOT

AN ACT

To repeal R.S. 33:1236(49)(f)(ix), relative to the Twenty-Fourth Judicial District Court; to remove authorization for additional compensation from Jefferson Parish for the judge of Division "J"; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

### **SENATE BILL NO. 210—**

BY SENATORS MOUNT, MORRISH AND SMITH

AN ACT

To authorize and provide for the transfer of certain state property; to authorize the transfer of certain state property in Calcasieu Parish; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources and Environment.

### **SENATE BILL NO. 239—**

BY SENATOR BROOME

AN ACT

To amend and reenact R.S. 40:1299.141(1) and (5), 1299.142(A)(1) and (B)(5) and 1299.143(1) and (2), relative to acquired immune deficiency syndrome; to correct certain terminology to ensure consistency with other statutes and the Louisiana Sanitary Code; to provide for definitions; to provide for blood and tissue storage facilities; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

### **SENATE BILL NO. 386—**

BY SENATOR CLAITOR

AN ACT

To amend and reenact R.S. 49:222(B)(12), relative to fees chargeable by secretary of state; to provide with respect to special fees; to provide with respect to requests for information which require a written response; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

### **SENATE BILL NO. 397—**

BY SENATOR RISER

AN ACT

To authorize and provide for the transfer of certain state properties in Caldwell Parish; to provide for the acceptance of certain properties by the Department of Wildlife and Fisheries; to provide for the property description; to provide for reservation of mineral rights; to provide terms and conditions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Natural Resources and Environment.

### **SENATE BILL NO. 450—**

BY SENATORS CHEEK, DORSEY, B. GAUTREAUX, MOUNT AND NEVERS

AN ACT

To amend and reenact R.S. 40:1097, relative to the donation of blood by certain minors; to provide for the criteria that must be met in order for certain minors to donate blood; to provide for consent; to provide restrictions upon compensation for blood donation by certain minors; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

### **SENATE BILL NO. 545—**

BY SENATOR ERDEY

AN ACT

To amend and reenact R.S. 37:1314(A), relative to the Clinical Laboratory Personnel Committee; to provide with respect to certain conditions required for membership of certain members of the committee; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.



**SENATE BILL NO. 600—**  
BY SENATOR MOUNT

AN ACT

To amend and reenact R.S. 13:2575(A), relative to public health, housing, and environmental violations; to authorize all municipalities to prescribe civil penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**SENATE BILL NO. 665—**  
BY SENATOR HEBERT

AN ACT

To repeal R.S. 22:332(A)(5), relative to foreign and alien insurers; to repeal the requirement of filing of policies and applications when applying for a certificate of authority; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

**SENATE BILL NO. 667—**  
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 22:1267(A), relative to commercial insurance; to provide with respect to the cancellation and renewal of commercial automobile insurance policies; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

**SENATE BILL NO. 669—**  
BY SENATOR HEBERT

AN ACT

To amend and reenact R.S. 22:1547(I)(2) and 1573(G) and to enact R.S. 22:1557(A)(4) and 1574, relative to insurance producers; to provide with respect to biannual renewal of surplus lines broker license; to provide for commissions; to provide for carry forward of continuing education hours; to provide for producer training requirements to sell long-term care insurance; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Insurance.

**House and House Concurrent Resolutions  
Reported by Committee**

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 45—**  
BY REPRESENTATIVE HENRY

A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development to study the potential economic impact on barge line, towing, and water transportation companies if the legislature authorized an income and corporation franchise tax credit for ad valorem taxes assessed against such company's public service properties paid to political subdivisions.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Arnold, the resolution was ordered engrossed and passed to its third reading.

**House Bills and Joint Resolutions on  
Second Reading Reported by Committee**

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

**HOUSE BILL NO. 17—**  
BY REPRESENTATIVE LIGI

AN ACT

To amend and reenact Civil Code Article 159 and to enact Code of Civil Procedure Article 3955, relative to the procedure for divorce; to provide for the termination of a community property regime; to provide with respect to service of a divorce petition; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Civil Law and Procedure.

The substitute was read by title as follows:

**HOUSE BILL NO. 1261 (Substitute for House Bill No. 17 by  
Representative Ligi)—**  
BY REPRESENTATIVE LIGI

AN ACT

To amend and reenact Code of Civil Procedure Articles 925(A)(2) and 1672(C) and to enact Code of Civil Procedure Article 3955, relative to procedures for divorce; to provide for the filing of a declinatory exception; to provide for the dismissal of an action; to provide for service of a 102 divorce petition; and to provide for related matters.

Read by title.

On motion of Rep. Timothy Burns, the substitute was adopted and became House Bill No. 1261 by Rep. Ligi, on behalf of the Committee on Civil Law and Procedure, as a substitute for House Bill No. 17 by Rep. Ligi.

Under the rules, lies over in the same order of business.

**HOUSE BILL NO. 53—**  
BY REPRESENTATIVE ROY

AN ACT

To repeal R.S. 32:387.9(5), relative to vehicles hauling agronomic or horticultural crops; to repeal the interstate system travel prohibition of certain permitted vehicles.

Read by title.

Reported by substitute by the Committee on Transportation, Highways and Public Works.

The substitute was read by title as follows:

**HOUSE BILL NO. 1277 (Substitute for House Bill No. 53 by  
Representative Roy)—**  
BY REPRESENTATIVE ROY

AN ACT

To enact R.S. 32:387.19, relative to special permits; to authorize the use of a portion of Interstate 49 as an alternate route for U.S. Highway No. 71 and U.S. Highway No. 167 to haul agronomic or horticultural crops on the interstate; and to provide for related matters.

## Page 10 HOUSE

9th Day's Proceedings - April 13, 2010

Read by title.

On motion of Rep. Hutter, the substitute was adopted and became House Bill No. 1277 by Rep. Roy, on behalf of the Committee on Transportation, Highways and Public Works, as a substitute for House Bill No. 53 by Rep. Roy.

Under the rules, lies over in the same order of business.

### **HOUSE BILL NO. 96—**

BY REPRESENTATIVE RICHARD

AN ACT

To enact R.S. 47:463.141, relative to motor vehicle special prestige license plates; to provide for the creation and issuance of such plates; to provide for the design of such plates; to provide relative to the fee and application of the fee for such plates; to authorize the promulgation of rules and regulations; and to provide for related matters

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Hutter, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

### **HOUSE BILL NO. 166—**

BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 49:191(4)(f) and to repeal R.S. 49:191(3)(c), relative to the Department of Revenue, including provisions to provide for the re-creation of the Department of Revenue and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Greene, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 208—**

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 46:236.3(K)(2), relative to income assignment orders; to provide for an increase in the fine for failure to comply; to provide relative to the total amount withheld; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Timothy Burns, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 221—**

BY REPRESENTATIVE TIM BURNS

AN ACT

To amend and reenact R.S. 9:303(C) and 315.11(A), R.S. 13:1621(B)(3) and (4), R.S. 15:305(D) and (E)(1), R.S. 46:236.1.2(D)(2) and (J), 236.7(A)(1) and (B), and 236.11.1(C)(3), Children's Code Article 311(B)(1)(a), and Code of Evidence Article 902(10), relative to child support; to make technical corrections to provisions governing child support; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

### **HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 221 by Representative Tim Burns

#### AMENDMENT NO. 1

On page 1, line 4, after the comma ",", and before "and" insert "Children's Code Article 311(B)(1)(a),"

#### AMENDMENT NO. 2

On page 6, after line 26, add the following:

"Section 6. Children's Code Article 311(B)(1)(a) is hereby amended and reenacted to read as follows:

Art. 311. Juvenile jurisdiction over adults; support proceedings; coexistent orders

\* \* \*

B.(1) A court exercising juvenile jurisdiction shall have concurrent jurisdiction in the following cases involving support of family:

(a) Proceedings brought by the district attorney pursuant to the provisions of Article ~~1303.7~~ 1301.1 et seq. of the Uniform Interstate Family Support Act.

\* \* \*

On motion of Rep. Timothy Burns, the amendments were adopted.

On motion of Rep. Timothy Burns, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### **HOUSE BILL NO. 222—**

BY REPRESENTATIVE TIM BURNS

AN ACT

To amend and reenact R.S. 46:236.3(E)(3), relative to the enforcement of child support; to provide for the garnishment of income; to provide for the forwarding of payment; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 222 by Representative Tim Burns

**AMENDMENT NO. 1**

On page 1, line 12, after "days" insert "to the person ordered"

**AMENDMENT NO. 2**

On page 1, at the beginning of line 13, insert "to receive the support or"

**AMENDMENT NO. 3**

On page 1, line 14, after the period "." and before "If" insert the following:

"Notwithstanding any provision of law to the contrary, in any case where an income assignment order has been issued in accordance with the provisions of R.S. 9:303, the total amount withheld for child support shall be forwarded to the department or its representative unless good cause is shown."

**AMENDMENT NO. 4**

On page 1, at the end of line 14, after "for" insert "a person"

**AMENDMENT NO. 5**

On page 1, at the beginning of line 15, insert "ordered to receive support or"

On motion of Rep. Timothy Burns, the amendments were adopted.

On motion of Rep. Timothy Burns, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 300—**

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph) and (1), relative to fees levied by the Louisiana Tax Commission; to authorize the continued levy and collection of fees associated with the various services performed by the commission; to authorize an increase in the fee for assessment of public service properties; to provide an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Greene, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 319—**

BY REPRESENTATIVE LANDRY

AN ACT

To amend and reenact Children's Code Article 1243(A), relative to intrafamily adoptions; to expand the class of petitioners; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Timothy Burns, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 397—**

BY REPRESENTATIVE LANDRY

AN ACT

To amend and reenact Children's Code Articles 1131(E)(1) and (G) and 1243.2(A)(1) and (C), relative to records checks in adoption proceedings; to provide for uniformity in records checks procedures in agency, private, and intrafamily adoptions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Timothy Burns, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 495—**

BY REPRESENTATIVE HARRISON

AN ACT

To enact R.S. 9:1103, relative to carbon sequestration; to provide for ownership of compensation from certain carbon sequestration; to provide for exceptions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 495 by Representative Harrison

**AMENDMENT NO. 1**

On page 1, line 11, after "land" and before "upon" insert "or water bottom"

On motion of Rep. Timothy Burns, the amendments were adopted.

On motion of Rep. Timothy Burns, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 508—**

BY REPRESENTATIVE ROY

AN ACT

To amend and reenact R.S. 47:2153(B)(1), relative to ad valorem taxes; to provide relative to sales of immovable property due to delinquent taxes; to authorize use of the Internet to publish certain notice and other information related to a tax sale; and to provide for related matters.

Read by title.

## Page 12 HOUSE

9th Day's Proceedings - April 13, 2010

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Original House Bill No. 508 by Representative Roy

#### AMENDMENT NO. 1

On page 2, at the beginning of line 24, after "(b)" and before "tax" delete "The" and insert "In addition to the notice required to be published pursuant to Subparagraph (a) of this Paragraph, the"

On motion of Rep. Greene, the amendments were adopted.

On motion of Rep. Greene, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 575—**

BY REPRESENTATIVE BALDONE

##### AN ACT

To enact R.S. 32:809, relative to the sale of salvaged vehicles; to prohibit a dismantler and parts recycler, motor vehicle crusher, or scrap metal processor from requiring the seller of a motor vehicle to remove the gas tank or tires; to authorize the dismantler and parts recycler, motor vehicle crusher, or scrap metal processor to deduct from the purchase price an amount equal to the actual cost of disposal of the gas tank or tires; to authorize a dismantler and parts recycler, motor vehicle crusher, or scrap metal processor who purchases a motor vehicle without a gas tank or tires to deduct from the purchase price an amount equal to twice the actual cost of disposal of the gas tank or tires; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Commerce.

The substitute was read by title as follows:

#### **HOUSE BILL NO. 1278 (Substitute for House Bill No. 575 by Representative Baldone)—**

BY REPRESENTATIVE BALDONE

##### AN ACT

To amend and reenact R.S. 30:2419(A)(2) and (3), relative to scrap metal recycling; to authorize the delivery of scrap metal containing fuel tanks to a scrap metal collection and recycling facility; to delete the requirement that persons delivering scrap to these facilities certify that fuel tanks have been removed; and to provide for related matters.

Read by title.

On motion of Rep. Arnold, the substitute was adopted and became House Bill No. 1278 by Rep. Baldone, on behalf of the Committee on Commerce, as a substitute for House Bill No. 575 by Rep. Baldone.

Under the rules, lies over in the same order of business.

#### **HOUSE BILL NO. 585—**

BY REPRESENTATIVE PERRY

##### AN ACT

To amend and reenact R.S. 48:231(A) and (B)(1), relative to the highway priority construction program; to provide for scheduling of public hearings; to provide for notice requirements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 585 by Representative Perry

#### AMENDMENT NO. 1

On page 1, line 11, after "A." insert "Prior to the convening of each regular session of the legislature,"

#### AMENDMENT NO. 2

On page 1, line 11, delete "Between" and on line 12, delete "October first and November thirtieth of each year."

#### AMENDMENT NO. 3

On page 2, line 7, delete "The" and insert in lieu thereof "Notwithstanding any unforeseen circumstances, the"

#### AMENDMENT NO. 4

On page 2, line 8, after "notice" and before "to" insert ", via electronic transmission."

#### AMENDMENT NO. 5

On page 2, line 10, after "district," and before "days", delete "thirty" and insert "fifteen calendar"

On motion of Rep. Hutter, the amendments were adopted.

On motion of Rep. Hutter, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

#### **HOUSE BILL NO. 593—**

BY REPRESENTATIVE PUGH

##### AN ACT

To amend and reenact R.S. 37:1437(B), (C), (D), and (E) and to enact R.S. 37:1437(F), (G), (H), and (I), relative to licensing requirements for real estate brokers and salespersons; to authorize the Louisiana Real Estate Commission to conduct a criminal history background check on applicants for licensure; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

Under the rules, the above bill was ordered engrossed and recommitted to the Committee on House and Governmental Affairs.

#### **HOUSE BILL NO. 614—**

BY REPRESENTATIVE PONTI

##### AN ACT

To enact R.S. 37:1490, relative to home inspections; to prohibit the performance of both home inspection services and real estate professional services by the same person in a transaction; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Arnold, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the local and consent calendar.

**HOUSE BILL NO. 771—**

BY REPRESENTATIVE TIM BURNS  
AN ACT

To amend and reenact R.S. 47:1705(B)(2)(c)(i), relative to ad valorem tax; to provide for requirements for notices for public hearings on proposals to increase millage rates without voter approval; to require publication of certain information related to such millage increases; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Ways and Means.

On motion of Rep. Greene, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 834—**

BY REPRESENTATIVE GREENE  
AN ACT

To amend and reenact Civil Code Article 103.1(1)(c) and (2), relative to judgments of divorce; to provide relative to a protective order; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 834 by Representative Greene

AMENDMENT NO. 1

On page 1, line 2, change "Articles 103(1) and" to "Article"

AMENDMENT NO. 2

On page 1, line 3, delete "to provide for living separate and apart;"

AMENDMENT NO. 3

On page 1, line 6, change "Civil Code Articles 103(1) and 103.1(1)(c) and (2)" to "Civil Code Article 103.1(1)(c) and (2)"

AMENDMENT NO. 4

On page 1, delete lines 8 through 14 in their entirety

AMENDMENT NO. 5

On page 2, at the end of line 3, insert a period "." and delete line 4 in its entirety

AMENDMENT NO. 6

On page 2, line 6, after "filed" and before the period "." insert "in accordance with Article 102 or a petition is filed in accordance with Article 103"

On motion of Rep. Timothy Burns, the amendments were adopted.

On motion of Rep. Timothy Burns, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 870—**

BY REPRESENTATIVE GEYMAN  
AN ACT

To direct the Department of Public Safety and Corrections to not implement the provisions of the Federal PASS ID Act of 2009; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Hutter, the bill, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 871—**

BY REPRESENTATIVE HAZEL  
AN ACT

To amend and reenact R.S. 46:236.6(A) and 236.7(B), relative to summonses for contempt for nonpayment of child support orders or medical support orders; to provide for authority to issue summonses for contempt; to provide for changes to a statutory reference regarding child support collection agencies; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 871 by Representative Hazel

AMENDMENT NO. 1

On page 1, line 12, change "~~R.S. 46:236.2~~" to "~~R.S. 46:236.2~~ and 236.2"

On motion of Rep. Timothy Burns, the amendments were adopted.

On motion of Rep. Timothy Burns, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 1156—**

BY REPRESENTATIVES HENRY BURNS AND CARMODY  
AN ACT

To enact Subpart H of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:359 through 359.13, relative to child custody; to provide for the Military Parent and Child Custody Protection Act; to provide for definitions; to provide for

# Page 14 HOUSE

9th Day's Proceedings - April 13, 2010

temporary modifications of custody orders; to provide for evidence; to provide duties to disclose certain information; to provide for the appointment of counsel; to provide for attorney fees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

## HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1156 by Representative Henry Burns

### AMENDMENT NO. 1

On page 1, line 3, change "359.12" to "359.13"

### AMENDMENT NO. 2

On page 1, line 11, change "359.12" to "359.13"

### AMENDMENT NO. 3

On page 1, line 21, after "terminated" and before "by" insert "or whose custody or visitation rights have not been restricted by court order to supervised visitation only."

### AMENDMENT NO. 4

On page 2, line 12, after "deployment" and before the period "." insert a semicolon ";" and insert "however, if the matter was fully tried by a court prior to deployment, the court may enter a final order at any time"

### AMENDMENT NO. 5

On page 2, line 15, after "the" and before "modification" insert "permanent"

### AMENDMENT NO. 6

On page 2, at the beginning of line 22, change "A" to "Unless the court determines that it is not in the best interest of the child, a"

### AMENDMENT NO. 7

On page 2, line 23, after "leave" and before the period "." insert the following:

"if the existing order granted the deploying parent custody or visitation prior to deployment. All restrictions on the custody or visitation in the existing order shall remain in effect in the temporary modification order"

### AMENDMENT NO. 8

On page 2, line 29, delete "deploying"

### AMENDMENT NO. 9

On page 3, line 1, change "have a material affect on the ability of" to "prevent" and at the end of the line, change "to" to "from"

### AMENDMENT NO. 10

On page 3, line 2, change "appear" to "appearing at a hearing scheduled regularly on the docket"

### AMENDMENT NO. 11

On page 3, delete lines 10 through 14 in their entirety and insert the following:

"may, upon motion alleging immediate danger or irreparable harm to the child, grant an expedited hearing on the termination of the temporary modification order and the reinstatement of the prior order, or the court may grant an ex parte order of temporary custody prior to the reinstatement of the prior order. Any ex parte temporary order shall comply with the provisions of Code of Civil Procedure Article 3945."

### AMENDMENT NO. 12

On page 3, line 16, after "delegate" and before "visitation" insert "some or all of the deploying parent's"

### AMENDMENT NO. 13

On page 3, line 17, after "if" and before "it" insert "the court determines"

### AMENDMENT NO. 14

On page 3, line 18, after the period "." insert "For the purposes of this Section, the court shall consider Civil Code Article 136 in determining the best interest of the child."

### AMENDMENT NO. 15

On page 3, line 20, after "9:359.5" and before the period "." insert "or upon a showing that the delegated visitation is no longer in the best interest of the child"

### AMENDMENT NO. 16

On page 3, line 23, delete "deploying"

### AMENDMENT NO. 17

On page 3, line 24, change "have a material affect on the ability to" to "prevent" and at the end of the line, change "to" to "from"

### AMENDMENT NO. 18

On page 3, line 25, change "appear" to "appearing"

### AMENDMENT NO. 19

On page 4, line 10, change "the request of the deploying" to "motion of either"

### AMENDMENT NO. 20

On page 4, after line 24, insert the following:

"§359.13. Applicability

The provisions of this Subpart shall not apply to any custody or visitation order requested in a verified petition alleging the applicability of the Domestic Abuse Assistance Act, R.S. 46:2131 et seq., Children's Code Article 1564 et seq., or the Post-Separation Family Violence Relief Act, R.S. 9:361 et seq."

On motion of Rep. Timothy Burns, the amendments were adopted.

On motion of Rep. Timothy Burns, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

### Suspension of the Rules

On motion of Rep. Robideaux, the rules were suspended in order to take up and consider House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

### House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

#### Regular Calendar

#### HOUSE BILL NO. 396—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 40:1749.13(B)(1) and (3) and 1749.14(A) and (B), to enact R.S. 40:1749.12(14) and 1749.15.1, and to repeal R.S. 40:1749.13(E), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to define priority calls; to require regional notification centers to receive emergency locate requests twenty-four hours a day; to authorize a notice of intent to excavate to be sent electronically; to require a member operator to furnish the regional notification center with emergency contact information; to require a record of electronic notice to be retained by the regional notification center; to require an operator of an underground cable television utility to participate in regional notification centers; to provide for an exemption for priority calls; to repeal expired temporary notification provisions; and to provide for related matters.

Read by title.

#### Motion

On motion of Rep. Arnold, the bill was returned to the calendar.

#### HOUSE BILL NO. 436—

BY REPRESENTATIVE RITCHIE

AN ACT

To amend and reenact R.S. 37:842(A)(1), 848(C), and 872(B)(1), relative to licenses issued by the Louisiana State Board of Embalmers and Funeral Directors; to repeal the licensure requirement that a funeral director be a resident of Louisiana; to repeal the licensure requirement that a crematory retort operator be a resident of Louisiana; to require funeral directing or embalming businesses to be licensed Louisiana establishments; and to provide for related matters.

Read by title.

Rep. Ritchie moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker                      Franklin                      Mills

Abramson  
Anders  
Armes  
Arnold  
Aubert  
Badon, B.  
Baldone  
Barras  
Barrow  
Billiot  
Brossett  
Burford  
Burns, H.  
Burns, T.  
Burrell  
Carmody  
Carter  
Champagne  
Chandler  
Chaney  
Connick  
Cortez  
Danahay  
Dixon  
Dove  
Downs  
Edwards  
Fannin  
Foil

Total - 90

Gallot  
Geymann  
Gisclair  
Greene  
Guillory  
Guinn  
Harrison  
Hazel  
Henderson  
Hill  
Hines  
Hoffmann  
Howard  
Hutter  
Jackson G.  
Jackson M.  
Johnson  
Jones, R.  
Jones, S.  
Kleckley  
LaBruzzo  
LaFonta  
Lambert  
Landry  
LeBas  
Ligi  
Lopinto  
Lorusso  
McVea

Montoucet  
Morris  
Nowlin  
Pearson  
Perry  
Ponti  
Pope  
Richard  
Richardson  
Richmond  
Ritchie  
Robideaux  
Roy  
Schroder  
Simon  
Smiley  
Smith, G.  
Smith, J.  
Smith, P.  
St. Germain  
Stiaes  
Temple  
Thibaut  
Thierry  
Waddell  
White  
Williams  
Willmott  
Wooton

NAYS

Norton

Total - 1

ABSENT

Badon, A.  
Cromer  
Doerge  
Ellington

Total - 12

Hardy  
Henry  
Katz  
Leger

Little  
Monica  
Pugh  
Talbot

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ritchie moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 491—

BY REPRESENTATIVE BILLIOT

AN ACT

To enact R.S. 38:346, relative to liability of levee districts or levee and drainage districts; to limit liability for any flood control levees or structures built or designed by the U.S. Army Corps of Engineers under certain conditions; and to provide for related matters.

Read by title.

#### Motion

On motion of Rep. Billiot, the bill was returned to the calendar.

#### HOUSE BILL NO. 396—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 40:1749.13(B)(1) and (3) and 1749.14(A) and (B), to enact R.S. 40:1749.12(14) and 1749.15.1, and to repeal R.S. 40:1749.13(E), relative to the Louisiana

## Page 16 HOUSE

9th Day's Proceedings - April 13, 2010

Underground Utilities and Facilities Damage Prevention Law; to define priority calls; to require regional notification centers to receive emergency locate requests twenty-four hours a day; to authorize a notice of intent to excavate to be sent electronically; to require a member operator to furnish the regional notification center with emergency contact information; to require a record of electronic notice to be retained by the regional notification center; to require an operator of an underground cable television utility to participate in regional notification centers; to provide for an exemption for priority calls; to repeal expired temporary notification provisions; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Arnold sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Arnold to Engrossed House Bill No. 396 by Representative Arnold

#### AMENDMENT NO. 1

On page 2, line 7, after "R.S. 40:1749.15" and before the comma ", " insert "and 1749.15.1"

On motion of Rep. Arnold, the amendments were adopted.

Rep. Arnold moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Franklin	Lorusso
Abramson	Gallot	McVea
Anders	Geymann	Mills
Armes	Gisclair	Monica
Arnold	Greene	Montoucet
Aubert	Guillory	Norton
Badon, B.	Guinn	Nowlin
Baldone	Hardy	Pearson
Barras	Harrison	Ponti
Barrow	Hazel	Pope
Billiot	Henderson	Pugh
Brossett	Henry	Richard
Burford	Hill	Richardson
Burns, H.	Hines	Richmond
Burns, T.	Hoffmann	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Roy
Carter	Jackson G.	Simon
Champagne	Jackson M.	Smith, G.
Chandler	Johnson	Smith, J.
Chaney	Jones, S.	Smith, P.
Cortez	Katz	St. Germain
Danahay	Kleckley	Stiaes
Dixon	LaBruzzo	Talbot
Doerge	LaFonta	Thibaut
Dove	Lambert	Thierry
Downs	Landry	Waddell
Edwards	LeBas	White
Ellington	Leger	Williams
Fannin	Ligi	Willmott
Foil	Little	Wooton

Total - 93

NAYS

Total - 0

ABSENT

Badon, A.	Lopinto	Smiley
Connick	Morris	Templet
Cromer	Perry	
Jones, R.	Schroder	
Total - 10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 546—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 40:1749.12(4) and 1749.20(B)(introductory paragraph), relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to define "excavation" or "excavate"; to provide that a failure to take precautions to avoid damage shall be punishable by civil penalty; and to provide for related matters.

Read by title.

Rep. Arnold moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Dove	Leger
Anders	Edwards	Ligi
Arnold	Fannin	Lopinto
Aubert	Foil	Lorusso
Badon, B.	Franklin	Monica
Baldone	Gallot	Nowlin
Barras	Greene	Pearson
Barrow	Guillory	Ponti
Billiot	Hardy	Richardson
Brossett	Harrison	Richmond
Burford	Hazel	Ritchie
Burns, H.	Henderson	Robideaux
Burns, T.	Hines	Smith, J.
Burrell	Hoffmann	St. Germain
Carmody	Hutter	Stiaes
Carter	Jackson G.	Talbot
Champagne	Johnson	Templet
Chandler	Jones, R.	Thierry
Chaney	LaBruzzo	Waddell
Connick	LaFonta	White
Cromer	Lambert	Williams
Dixon	Landry	Willmott
Doerge	LeBas	Wooton
Total - 69		

NAYS

Armes	Howard	Perry
Badon, A.	Katz	Pope
Cortez	Kleckley	Richard
Danahay	Little	Roy
Ellington	McVea	Simon



Geymann  
Gisclair  
Guinn  
Hill  
Total - 26

Mills  
Montoucet  
Morris  
Norton

Smiley  
Smith, G.  
Thibaut

ABSENT

Abramson  
Downs  
Henry  
Total - 8

Jackson M.  
Jones, S.  
Pugh

Schroder  
Smith, P.

The bill, not having received a two-thirds vote of the elected members, failed to pass.

Motion to reconsider pending.

#### HOUSE BILL NO. 547—

BY REPRESENTATIVE ARNOLD

AN ACT

To enact R.S. 9:3530(G), relative to fees charged on a consumer credit transaction; to authorize a federally insured depository institution to charge fees on consumer credit transactions; and to provide for related matters.

Read by title.

Rep. Roy sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Roy to Engrossed House Bill No. 547 by Representative Arnold

#### AMENDMENT NO. 1

On page 1, line 12, after "for in" and before "this" insert "Subsections A, C, and D of"

On motion of Rep. Roy, the amendments were adopted.

#### Acting Speaker Leger in the Chair

Rep. Arnold moved the final passage of the bill, as amended.

#### ROLL CALL

The roll was called with the following result:

YEAS

Anders  
Armes  
Arnold  
Aubert  
Badon, A.  
Badon, B.  
Baldone  
Barras  
Brossett  
Burford  
Burrell  
Carmody  
Carter  
Champagne  
Chandler  
Chaney  
Danahay  
Dixon  
Doerge  
Dove

Downs  
Edwards  
Ellington  
Foil  
Franklin  
Gallot  
Gisclair  
Henderson  
Hoffmann  
Howard  
Hutter  
Johnson  
Jones, R.  
Katz  
LaFonta  
Landry  
LeBas  
Leger  
Lopinto  
Lorusso

McVea  
Mills  
Monica  
Norton  
Nowlin  
Ponti  
Richard  
Richardson  
Richmond  
Ritchie  
Robideaux  
Roy  
Smith, G.  
St. Germain  
Stiaes  
Templet  
Thibaut  
Thierry  
Waddell  
White

Total - 60

NAYS

Barrow  
Billiot  
Burns, H.  
Connick  
Cortez  
Cromer  
Fannin  
Geymann  
Greene  
Guinn  
Total - 28

Hazel  
Henry  
Hill  
Hines  
Kleckley  
Lambert  
Ligi  
Little  
Montoucet  
Morris

Pearson  
Pope  
Schroder  
Smiley  
Smith, J.  
Smith, P.  
Talbot  
Wooton

ABSENT

Mr. Speaker  
Abramson  
Burns, T.  
Guillory  
Hardy  
Total - 15

Harrison  
Jackson G.  
Jackson M.  
Jones, S.  
LaBruzzo

Perry  
Pugh  
Simon  
Williams  
Willmott

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 830—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact Civil Code Articles 2374(C) and 2375(C), relative to community property; to provide for the separation of community property; to provide for the procedure; to provide for the effectiveness of a judgment decreeing separation of property; and to provide for related matters.

Read by title.

Rep. Waddell, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Waddell on behalf of the Legislative Bureau to Engrossed House Bill No. 830 by Representative Greene

#### AMENDMENT NO. 1

On page 1, line 12, following "property" delete ", "

#### AMENDMENT NO. 2

On page 1, line 13, following "obtained" and before "upon" delete "and"

On motion of Rep. Waddell, the amendments were adopted.

Rep. Greene moved the final passage of the bill, as amended.

#### ROLL CALL

The roll was called with the following result:

YEAS

Anders

Gallot

McVea

## Page 18 HOUSE

9th Day's Proceedings - April 13, 2010

Armes	Geymann	Mills
Arnold	Gisclair	Monica
Aubert	Greene	Montoucet
Badon, A.	Guillory	Norton
Badon, B.	Guinn	Pearson
Baldone	Harrison	Perry
Barras	Hazel	Ponti
Barrow	Henderson	Pope
Billiot	Henry	Richard
Brossett	Hill	Richardson
Burford	Hines	Richmond
Burns, H.	Howard	Ritchie
Burns, T.	Hutter	Robideaux
Burrell	Jackson G.	Roy
Carmody	Jackson M.	Schroder
Carter	Johnson	Smiley
Champagne	Jones, R.	Smith, G.
Chandler	Jones, S.	Smith, J.
Connick	Katz	Smith, P.
Cortez	Kleckley	St. Germain
Cromer	LaBruzzo	Stiaes
Danahay	LaFonta	Talbot
Dixon	Lambert	Templet
Doerge	Landry	Thibaut
Dove	LeBas	Thierry
Edwards	Leger	Waddell
Ellington	Ligi	White
Fannin	Little	Williams
Foil	Lopinto	Willmott
Franklin	Lorusso	Wooton

Total - 93

NAYS

Total - 0

ABSENT

Mr. Speaker	Hardy	Pugh
Abramson	Hoffmann	Simon
Chaney	Morris	
Downs	Nowlin	

Total - 10

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Greene moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Speaker Tucker in the Chair

#### HOUSE BILL NO. 882—

BY REPRESENTATIVES ST. GERMAIN, DOVE, AND HARRISON AND  
SENATOR N. GAUTREAUX

AN ACT

To enact R.S. 48:757(A)(1)(d), relative to off-system work by the Department of Transportation and Development; to authorize the department to construct, maintain, and improve roads in wildlife management areas of the state and refuges, and other lands owned by the Department of Wildlife and Fisheries; and to provide for related matters.

Read by title.

Rep. St. Germain moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

### YEAS

Mr. Speaker	Franklin	McVea
Anders	Gallot	Mills
Armes	Geymann	Monica
Arnold	Gisclair	Montoucet
Aubert	Guillory	Morris
Badon, A.	Guinn	Norton
Badon, B.	Harrison	Perry
Baldone	Hazel	Ponti
Barras	Henderson	Pope
Barrow	Henry	Richard
Billiot	Hill	Richmond
Brossett	Hines	Ritchie
Burford	Hoffmann	Robideaux
Burns, H.	Howard	Roy
Burns, T.	Hutter	Schroder
Burrell	Jackson G.	Simon
Carmody	Jackson M.	Smiley
Carter	Johnson	Smith, G.
Chandler	Jones, R.	Smith, J.
Chaney	Jones, S.	Smith, P.
Connick	Kleckley	St. Germain
Cortez	LaBruzzo	Stiaes
Cromer	LaFonta	Talbot
Danahay	Lambert	Templet
Dixon	Landry	Thibaut
Doerge	LeBas	Thierry
Dove	Leger	Waddell
Edwards	Ligi	White
Ellington	Little	Williams
Fannin	Lopinto	Willmott
Foil	Lorusso	Wooton

Total - 93

NAYS

Katz	Pearson
------	---------

Total - 2

ABSENT

Abramson	Greene	Pugh
Champagne	Hardy	Richardson
Downs	Nowlin	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. St. Germain moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 902—

BY REPRESENTATIVE ARNOLD

AN ACT

To enact R.S. 9:2796(C), relative to Mardi Gras parades; to provide that the terms "krewe", "organization", and "nonprofit organization" shall include any service provider; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Arnold, the bill was returned to the calendar.

**HOUSE BILL NO. 944—**

BY REPRESENTATIVE LEGER

**AN ACT**

To amend and reenact R.S. 40:1629(A)(introductory paragraph) and (C), relative to cigarettes; to require certification to the attorney general of compliance with the "Cigarette Fire Safety and Firefighter Protection Act"; and to provide for related matters.

Read by title.

Rep. Leger moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Geymann	Mills
Anders	Gisclair	Monica
Armes	Greene	Montoucet
Arnold	Guillory	Morris
Aubert	Guinn	Norton
Badon, A.	Harrison	Nowlin
Badon, B.	Hazel	Pearson
Baldone	Henderson	Perry
Barras	Henry	Ponti
Barrow	Hill	Pope
Billiot	Hines	Richard
Brossett	Hoffmann	Richardson
Burford	Howard	Richmond
Burns, H.	Hutter	Ritchie
Burns, T.	Jackson G.	Robideaux
Burrell	Jackson M.	Roy
Carmody	Johnson	Schroder
Carter	Jones, R.	Simon
Champagne	Jones, S.	Smiley
Chandler	Katz	Smith, G.
Chaney	Kleckley	Smith, J.
Connick	LaBruzzo	Smith, P.
Cortez	LaFonta	St. Germain
Cromer	Lambert	Stiaes
Danahay	Landry	Templet
Dixon	LeBas	Thibaut
Doerge	Leger	Thierry
Dove	Ligi	Waddell
Edwards	Little	White
Fannin	Lopinto	Williams
Foil	Lorusso	Willmott
Franklin	McVea	Wooton
Total - 96		

**NAYS**

Total - 0

**ABSENT**

Abramson	Gallot	Talbot
Downs	Hardy	
Ellington	Pugh	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Leger moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 997—**

BY REPRESENTATIVE FANNIN

**AN ACT**

To enact R.S. 39:51.1(H), relative to exemptions to the nongovernmental entity funding request form; and to provide for related matters.

Read by title.

Rep. Fannin sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Fannin to Engrossed House Bill No. 997 by Representative Fannin

**AMENDMENT NO. 1**

On page 1, line 9, change "public" to "non-profit"

On motion of Rep. Fannin, the amendments were withdrawn.

Rep. Fannin moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Franklin	McVea
Anders	Gallot	Mills
Armes	Geymann	Monica
Arnold	Gisclair	Montoucet
Aubert	Greene	Morris
Badon, A.	Guillory	Norton
Badon, B.	Guinn	Nowlin
Baldone	Hardy	Perry
Barras	Harrison	Ponti
Barrow	Hazel	Pope
Billiot	Henderson	Pugh
Brossett	Henry	Richard
Burford	Hill	Richardson
Burns, H.	Hines	Richmond
Burns, T.	Hoffmann	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Roy
Carter	Jackson G.	Simon
Champagne	Johnson	Smiley
Chandler	Jones, R.	Smith, G.
Chaney	Jones, S.	Smith, J.
Connick	Katz	Smith, P.
Cortez	Kleckley	St. Germain
Cromer	LaBruzzo	Stiaes
Danahay	LaFonta	Templet
Dixon	Lambert	Thibaut
Doerge	Landry	Thierry
Dove	LeBas	Waddell
Edwards	Leger	White
Ellington	Ligi	Williams
Fannin	Little	Willmott
Foil	Lorusso	Wooton
Total - 96		

**NAYS**

Lopinto  
Total - 1

**ABSENT**

Abramson	Jackson M.	Schroder
----------	------------	----------

## Page 20 HOUSE

9th Day's Proceedings - April 13, 2010

Downs Pearson Talbot  
Total - 6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Fannin moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1021—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact Sections 2 and 3 of Act No. 822 of the 2008 Regular Session of the Legislature, relative to inheritance and estate taxes; to provide relative to the prescription period for estate transfer taxes; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Greene sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Greene to Engrossed House Bill No. 1021 by Representative Greene

#### AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "Sections" insert "R.S. 47:2433 and"

#### AMENDMENT NO. 2

On page 1, line 3, after "taxes;" and before "to" insert "to provide for the accrual of interest on delinquent estate transfer taxes; to provide relative to filing extensions for estate transfer tax returns;"

#### AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert the following:

Section 1. R.S. 47:2433 is hereby amended and reenacted to read as follows:

"§2433. Proceedings to fix and collect tax Interest on delinquent tax; extension of time to file an estate transfer tax return

The provisions of Part I of this chapter, insofar as applicable, shall regulate the proceedings to fix the amount of tax hereby levied and the manner in which the same shall be collected. A. Taxes levied under this Part shall only be subject to interest as provided for in R.S. 47:1601, and such interest shall begin to accrue nine months after the date of death of the decedent and shall continue to accrue until the tax is paid. Notwithstanding any other provision of law to the contrary, no penalty or interest shall apply or be assessed when the succession is opened no later than the last day of the ninth month following the death of the decedent.

B. The secretary may accept an extension of time to file a United States Estate Tax Return for the same decedent as an extension of time to file a Louisiana estate transfer tax return."

#### AMENDMENT NO. 4

On page 1, at the beginning of line 7, change "Section 1." to "Section 2."

### AMENDMENT NO. 5

On page 1, at the beginning of line 23, change "Section 2." to "Section 3."

On motion of Rep. Greene, the amendments were adopted.

### Motion

On motion of Rep. Greene, the bill, as amended, was returned to the calendar.

### HOUSE BILL NO. 1022—

BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 47:1520(A)(1)(f), relative to the Department of Revenue; to authorize the secretary of the Department of Revenue to require electronic filing of tax returns or reports under certain circumstances; and to provide for related matters.

Read by title.

Rep. Greene moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Franklin	Mills
Anders	Gallot	Monica
Armes	Geymann	Montoucet
Arnold	Gisclair	Norton
Aubert	Greene	Nowlin
Badon, A.	Guillory	Pearson
Badon, B.	Hardy	Ponti
Baldone	Hazel	Pope
Barras	Henderson	Pugh
Barrow	Henry	Richard
Billiot	Hill	Richardson
Brossett	Hines	Richmond
Burford	Hoffmann	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hutter	Roy
Burrell	Jackson G.	Schroder
Carmody	Johnson	Simon
Carter	Jones, R.	Smiley
Champagne	Jones, S.	Smith, G.
Chandler	Katz	Smith, J.
Chaney	Kleckley	St. Germain
Connick	LaBruzzo	Stiaes
Cortez	LaFonta	Templet
Cromer	Lambert	Thibaut
Danahay	Landry	Thierry
Dixon	LeBas	Waddell
Doerge	Leger	White
Dove	Ligi	Williams
Edwards	Little	Willmott
Ellington	Lopinto	Wooton
Fannin	Lorusso	
Foil	McVea	

Total - 94

#### NAYS

Total - 0

#### ABSENT

Abramson	Harrison	Perry
Downs	Jackson M.	Smith, P.
Guinn	Morris	Talbot

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Greene moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 1031—

BY REPRESENTATIVE WHITE

AN ACT

To amend and reenact R.S. 49:112, relative to claims against the state; to prohibit division of administration from allowing certain claims; and to provide for related matters.

Read by title.

#### Motion

On motion of Rep. White, the bill was returned to the calendar.

#### HOUSE BILL NO. 1045—

BY REPRESENTATIVE PONTI

AN ACT

To enact R.S. 47:1508(B)(28), relative to the confidentiality of tax records; to provide for the furnishing of tax record information to the Louisiana Workforce Commission for the purpose of determining, investigating, and prosecuting fraud; to provide for the confidentiality of such information; and to provide for related matters.

Read by title.

Rep. Ponti moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gallot	Montoucet
Anders	Geymann	Morris
Armes	Gisclair	Norton
Arnold	Greene	Nowlin
Aubert	Guillory	Pearson
Badon, A.	Guinn	Perry
Badon, B.	Hardy	Ponti
Baldone	Harrison	Pope
Barras	Hazel	Pugh
Barrow	Henry	Richard
Billiot	Hill	Richardson
Brossett	Hines	Richmond
Burford	Hoffmann	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hutter	Roy
Burrell	Jackson G.	Schroder
Carmody	Johnson	Simon
Carter	Jones, R.	Smiley
Champagne	Katz	Smith, G.
Chandler	Kleckley	Smith, J.
Chaney	LaBruzzo	Smith, P.
Connick	LaFonta	St. Germain
Cortez	Lambert	Stiaes
Cromer	Landry	Templet
Danahay	LeBas	Thibaut
Dixon	Leger	Thierry
Doerge	Ligi	Waddell
Dove	Little	White

Edwards  
Ellington  
Fannin  
Foil  
Franklin  
Total - 97

Lopinto  
Lorusso  
McVea  
Mills  
Monica  
Williams  
Willmott  
Wooton

NAYS

Total - 0

ABSENT

Abramson  
Downs  
Total - 6

Henderson  
Jackson M.  
Jones, S.  
Talbot

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ponti moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

#### HOUSE BILL NO. 1065—

BY REPRESENTATIVE LEGER

AN ACT

To amend and reenact R.S. 49:259(B), relative to the Department of Justice Legal Support Fund, to increase the maximum allowable fund balance; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Leger moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gallot	Monica
Anders	Geymann	Montoucet
Armes	Gisclair	Morris
Arnold	Greene	Norton
Aubert	Guillory	Nowlin
Badon, A.	Guinn	Pearson
Badon, B.	Hardy	Perry
Baldone	Harrison	Ponti
Barras	Hazel	Pope
Barrow	Henderson	Pugh
Billiot	Henry	Richard
Brossett	Hill	Richardson
Burford	Hines	Richmond
Burns, H.	Hoffmann	Ritchie
Burns, T.	Howard	Robideaux
Burrell	Hutter	Schroder
Carmody	Jackson G.	Simon
Carter	Johnson	Smiley
Champagne	Jones, R.	Smith, G.
Chandler	Jones, S.	Smith, J.
Chaney	Kleckley	St. Germain
Connick	LaBruzzo	Stiaes
Cortez	LaFonta	Talbot
Cromer	Lambert	Templet
Danahay	Landry	Thibaut
Dixon	LeBas	Thierry
Doerge	Leger	Waddell
Dove	Ligi	White
Edwards	Little	Williams
Ellington	Lopinto	Willmott

## Page 22 HOUSE

9th Day's Proceedings - April 13, 2010

Fannin	Lorusso	Wooton
Foil	McVea	
Franklin	Mills	
Total - 97		

NAYS

Total - 0

ABSENT

Abramson	Jackson M.	Roy
Downs	Katz	Smith, P.
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Leger moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 1075— BY REPRESENTATIVE FANNIN

AN ACT

To enact R.S. 49:200.2, relative to state administration, to require all state agencies to submit certain information to the division of administration for placement on a website reporting contractual information; to require state agencies to cooperate with the division of administration for the development of the website; to provide for rulemaking; and to provide for related matters.

Read by title.

Rep. Fannin sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fannin to Engrossed House Bill No. 1075 by Representative Fannin

#### AMENDMENT NO. 1

On page 1, after line 21, insert the following:

"C. The information submitted to the division pursuant to this Section shall include but shall not be limited to the following:

(1) The name of the contracting agency.

(2) The type of contract.

(3) The name of the vendor.

(4) The start and end dates of the contract, and if a renewal, the original start date.

(5) The amount of the contract."

On motion of Rep. Fannin, the amendments were adopted.

Rep. Fannin moved the final passage of the bill, as amended.

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Mills
Anders	Gallot	Monica

Armes	Geymann	Montoucet
Arnold	Gisclair	Morris
Aubert	Greene	Norton
Badon, A.	Guillory	Nowlin
Baldone	Guinn	Pearson
Barras	Harrison	Perry
Barrow	Hazel	Ponti
Billiot	Henderson	Pope
Brossett	Henry	Richard
Burford	Hill	Richardson
Burns, H.	Hines	Richmond
Burns, T.	Hoffmann	Ritchie
Burrell	Howard	Robideaux
Carmody	Hutter	Roy
Carter	Jackson G.	Schroder
Champagne	Johnson	Smiley
Chandler	Jones, R.	Smith, G.
Chaney	Jones, S.	Smith, J.
Connick	Katz	Smith, P.
Cortez	Kleckley	St. Germain
Cromer	LaBruzzo	Stiaes
Danahay	LaFonta	Talbot
Dixon	Landry	Templet
Doerge	LeBas	Thierry
Dove	Leger	Waddell
Downs	Ligi	White
Edwards	Little	Williams
Ellington	Lopinto	Willmott
Fannin	Lorusso	Wooton
Foil	McVea	

Total - 95

NAYS

Total - 0

ABSENT

Abramson	Jackson M.	Simon
Badon, B.	Lambert	Thibaut
Hardy	Pugh	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Fannin moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 20— BY REPRESENTATIVES SIMON AND HINES AN ACT

To amend and reenact R.S. 15:1503(2) and to enact R.S. 15:1503(13), relative to mandatory reporting of abuse of adults; to amend the definition of "abuse"; to provide for a definition of "sexual abuse"; and to provide for related matters.

Read by title.

Rep. Simon sent up floor amendments which were read as follows:

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Simon to Original House Bill No. 20 by Representative Simon

#### AMENDMENT NO. 1

On page 1, line 12, after "physical" delete "emotional."

AMENDMENT NO. 2

On page 1, line 13, after "physical" delete the remainder of the line

AMENDMENT NO. 3

On page 2, line 1, after "forced," delete "tricked,"

On motion of Rep. Simon, the amendments were adopted.

Rep. Simon moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Franklin	Mills
Anders	Gallot	Monica
Armes	Geymann	Montoucet
Arnold	Gisclair	Morris
Aubert	Guillory	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Hardy	Pearson
Baldone	Harrison	Perry
Barras	Hazel	Ponti
Barrow	Henderson	Pope
Billiot	Henry	Richard
Brossett	Hill	Richardson
Burford	Hines	Richmond
Burns, H.	Hoffmann	Ritchie
Burns, T.	Howard	Robideaux
Burrell	Hutter	Roy
Carmody	Jackson G.	Schroder
Carter	Johnson	Simon
Champagne	Jones, R.	Smiley
Chandler	Jones, S.	Smith, G.
Chaney	Katz	Smith, J.
Connick	Kleckley	Smith, P.
Cortez	LaBruzzo	St. Germain
Cromer	LaFonta	Stiaes
Danahay	Lambert	Talbot
Dixon	Landry	Templet
Doerge	LeBas	Thibaut
Dove	Leger	Thierry
Downs	Ligi	Waddell
Edwards	Little	White
Ellington	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	McVea	Wooton

Total - 99

**NAYS**

Total - 0

**ABSENT**

Abramson	Jackson M.
Greene	Pugh
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Simon moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 59—**

BY REPRESENTATIVE FOIL

**AN ACT**

To amend and reenact R.S. 18:541 and 542, relative to the hours of voting; to provide for the time for opening and closing of the polls; to provide for termination of voting; and to provide for related matters.

Read by title.

Rep. Foil sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Foil to Engrossed House Bill No. 59 by Representative Foil

AMENDMENT NO. 1

On page 1, line 2, after "and reenact R.S." delete "18:541" and insert "18:134(E), 541,"

AMENDMENT NO. 2

On page 1, at the end of line 3, delete "and" and insert "to provide for the hours of the principal office of the registrar on election day; and"

AMENDMENT NO. 3

On page 1, line 6, after "R.S." delete "18:541" and insert "18:134(E), 541,"

AMENDMENT NO. 4

On page 1, between lines 7 and 8, insert the following:

"§134. Office hours

\* \* \*

E. On election days the principal office of the registrar shall remain open from ~~6:00~~ 6:30 a.m. until ~~9:00~~ 8:00 p.m. The registrar or a deputy registrar designated by him shall remain in the office during that time.

\* \* \*"

On motion of Rep. Foil, the amendments were adopted.

Rep. Foil moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Geymann	Pearson
Burford	Greene	Ponti
Burns, H.	Hazel	Richard
Burns, T.	Henry	Schroder
Carmody	Howard	Simon
Carter	Katz	Smiley
Cortez	Kleckley	Smith, J.
Cromer	Ligi	Talbot
Danahay	Lopinto	Waddell
Dove	Lorusso	
Foil	Nowlin	

Total - 31

**NAYS**

## Page 24 HOUSE

9th Day's Proceedings - April 13, 2010

Anders	Guillory	Montoucet
Armes	Guinn	Norton
Arnold	Hardy	Pope
Badon, A.	Henderson	Richardson
Badon, B.	Hill	Richmond
Baldone	Hines	Ritchie
Barrow	Hoffmann	Robideaux
Billiot	Hutter	Roy
Brossett	Jackson G.	Smith, G.
Burrell	Jackson M.	Smith, P.
Chandler	Johnson	St. Germain
Chaney	Jones, R.	Stiaes
Connick	Jones, S.	Templet
Dixon	LaFonta	Thibaut
Doerge	Lambert	Thierry
Edwards	LeBas	White
Ellington	Leger	Williams
Franklin	Little	Willmott
Gallot	McVea	Wooton
Gisclair	Mills	
Total - 59		

ABSENT

Abramson	Fannin	Morris
Aubert	Harrison	Perry
Barras	LaBruzzo	Pugh
Champagne	Landry	
Downs	Monica	
Total - 13		

The Chair declared the above bill failed to pass.

Rep. LaFonta moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

### Consent to Correct a Vote Record

Rep. Franklin requested the House consent to record his vote on final passage of House Bill No. 59 as nay, which consent was unanimously granted.

### Consent to Correct a Vote Record

Rep. Willmott requested the House consent to correct his vote on final passage of House Bill No. 59 from yea to nay, which consent was unanimously granted.

### Consent to Correct a Vote Record

Rep. Norton requested the House consent to record her vote on final passage of House Bill No. 59 as nay, which consent was unanimously granted.

### HOUSE BILL NO. 121—

BY REPRESENTATIVE MILLS

AN ACT

To amend and reenact R.S. 40:964(Schedule III)(E)(9), to enact R.S. 40:964(Schedule I)(C)(13.1), (16.1), (32), (33), (34), and (35), (Schedule II)(A)(1)(s), (B)(28), and (C)(7), (Schedule III)(E)(12.1), (15.1), and (44.1), (Schedule IV)(B)(4.1) and (22.1), and (Schedule V)(D)(2), and to repeal R.S. 40:964(Schedule IV)(B)(52), relative to the Uniform Controlled Dangerous Substances Law; to add certain drugs to Schedules

I, II, III, IV, and V; to provide for technical changes; and to provide for related matters.

Read by title.

Rep. Mills sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Mills to Engrossed House Bill No. 121 by Representative Mills

#### AMENDMENT NO. 1

On page 1, line 2, after "R.S. 40:964(Schedule III)(E)(9)," and before "to" delete the comma "," and insert "and R.S. 40:966(B)(3), (E), and (F)."

#### AMENDMENT NO. 2

On page 1, line 3, after "(32), and before "(Schedule II)" delete "(33), (34), and (35)."

#### AMENDMENT NO. 3

On page 1, line 10, after "R.S. 40:964(Schedule III)(E)(9)" and before "hereby" delete "is" and insert "and R.S. 40:966(B)(3), (E), and (F) are"

#### AMENDMENT NO. 4

On page 1, line 11, after "(32), and before "(Schedule II)" delete "(33), (34), and (35)."

#### AMENDMENT NO. 5

On page 2, between lines 14 and 15, insert the following:

"(32) Synthetic cannabinoids as follows:"

#### AMENDMENT NO. 6

On page 2, line 15, change "(32)" to "(a)"

#### AMENDMENT NO. 7

On page 2, line 17, change "(33)" to "(b)"

#### AMENDMENT NO. 8

On page 2, line 19, change "(34)" to "(c)"

#### AMENDMENT NO. 9

On page 2, line 21, change "(35)" to "(d)"

#### AMENDMENT NO. 10

On page 5, between lines 5 and 6 insert the following:

"§966. Penalty for distribution or possession with intent to distribute narcotic drugs listed in Schedule I; possession of marijuana, possession of synthetic cannabinoids

\* \* \*

B. Penalties for violation of Subsection A. Any person who violates Subsection A with respect to:

\* \* \*



(3) A substance classified in Schedule I which is marijuana, tetrahydrocannabinols, or chemical derivatives of tetrahydrocannabinols, or synthetic cannabinoids shall upon conviction be sentenced to a term of imprisonment at hard labor for not less than five nor more than thirty years, and pay a fine of not more than fifty thousand dollars.

\* \* \*

E. Possession of marijuana, or synthetic cannabinoids. (1) Except as provided in Subsections E and F of this Section, on a first conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol, or chemical derivatives thereof, or synthetic cannabinoids the offender shall be fined not more than five hundred dollars, imprisoned in the parish jail for not more than six months, or both.

(2) Except as provided in Subsection F or G of this Section, on a second conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids the offender shall be fined not more than two thousand dollars, imprisoned with or without hard labor for not more than five years, or both.

(3) Except as provided in Subsection F or G of this Section, on a third or subsequent conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids the offender shall be sentenced to imprisonment with or without hard labor for not more than twenty years, and may, in addition, be sentenced to pay a fine of not more than five thousand dollars.

(4) A conviction for the violation of any other statute or ordinance with the same elements as R.S. 40:966(C) prohibiting the possession of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be considered as a prior conviction for the purposes of this Subsection relating to penalties for second, third, or subsequent offenders.

(5) A conviction for the violation of any other statute or ordinance with the same elements as R.S. 40:966(B)(3) prohibiting the distributing or dispensing or possession with intent to distribute or dispense marijuana, of marijuana,<sup>1</sup> tetrahydrocannabinol, or chemical derivatives thereof, or synthetic cannabinoids shall be considered as a prior conviction for the purposes of this Subsection relating to penalties for second, third, or subsequent offenders.

F. Except as otherwise authorized in this Part:

(1) Any person who knowingly or intentionally possesses sixty pounds or more, but less than two thousand pounds of marijuana, tetrahydrocannabinol, or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to serve a term of imprisonment at hard labor of not less than five years, nor more than thirty years, and to pay a fine of not less than fifty thousand dollars nor more than one hundred thousand dollars.

(2) Any person who knowingly or intentionally possesses two thousand pounds or more, but less than ten thousand pounds of marijuana, tetrahydrocannabinol, or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to serve a term of imprisonment at hard labor of not less than ten years nor more than forty years, and to pay a fine of not less than one hundred thousand dollars nor more than four hundred thousand dollars.

(3) Any person who knowingly or intentionally possesses ten thousand pounds or more of marijuana, tetrahydrocannabinol, or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to serve a term of imprisonment at hard labor of not less than twenty-five years, nor more than forty years and to pay a fine of

not less than four hundred thousand dollars nor more than one million dollars.

\* \* \*

On motion of Rep. Mills, the amendments were adopted.

Rep. Mills moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Franklin	Mills
Anders	Gallot	Monica
Armes	Geymann	Morris
Arnold	Gisclair	Norton
Aubert	Greene	Nowlin
Badon, A.	Guillory	Pearson
Badon, B.	Guinn	Ponti
Baldone	Hazel	Pope
Barras	Henry	Pugh
Barrow	Hill	Richard
Billiot	Hines	Richardson
Brossett	Hoffmann	Richmond
Burford	Howard	Ritchie
Burns, H.	Hutter	Robideaux
Burns, T.	Jackson G.	Roy
Burrell	Jackson M.	Schroder
Carmody	Johnson	Simon
Carter	Jones, R.	Smiley
Champagne	Jones, S.	Smith, G.
Chandler	Katz	Smith, J.
Chaney	Kleckley	Smith, P.
Connick	LaBruzzo	St. Germain
Cortez	LaFonta	Stiaes
Cromer	Lambert	Talbot
Danahay	Landry	Templet
Dixon	LeBas	Thibaut
Doerge	Leger	Thierry
Dove	Ligi	Waddell
Edwards	Little	White
Ellington	Lopinto	Williams
Fannin	Lorusso	Willmott
Foil	McVea	Wooton

Total - 96

#### NAYS

Total - 0

#### ABSENT

Abramson	Harrison	Perry
Downs	Henderson	
Hardy	Montoucet	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Mills moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### Consent to Correct a Vote Record

Rep. Hines requested the House consent to record his vote on final passage of House Bill No. 121 as yea, which consent was unanimously granted.

# Page 26 HOUSE

9th Day's Proceedings - April 13, 2010

## HOUSE BILL NO. 173—

BY REPRESENTATIVES TEMPLET, WHITE, GIROD JACKSON, MICHAEL JACKSON, HENRY, LAFONTA, ARMES, WILLMOTT, BILLIOT, HENRY BURNS, GISCLAIR, MILLS, MONICA, PUGH, RICHARDSON, ST. GERMAIN, AND TALBOT AND SENATOR MARTINY

### AN ACT

To enact R.S. 40:964(Schedule I)(C)(32), (33), (34), and (35) and 989.2, relative to controlled dangerous substances; to create the crime of the unlawful production, manufacturing, distribution, or possession of a material, compound, mixture, or preparation which contains a prohibited plant; to provide for definitions; to provide for criminal penalties; to provide for exceptions; to add certain hallucinogenic substances to Schedule I; and to provide for related matters.

Read by title.

Rep. Girod Jackson sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Girod Jackson to Engrossed House Bill No. 173 by Representative Templet

#### AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert "amend and reenact R.S. 40:966(B)(3), (E), and (F) and to enact R.S. 40:964(Schedule I)(C)(32) and 989.2, relative to"

#### AMENDMENT NO. 2

On page 1, line 9 after "Section1." delete the remainder of the line and insert "R.S. 40:966(B)(3), (E), and (F) are hereby amended and reenacted and R.S. 40:964(Schedule I)(C)(32) and 989.2 are hereby"

#### AMENDMENT NO. 3

On page 2, between lines 4 and 5, insert the following:

"(32) Synthetic cannabinoids as follows:"

#### AMENDMENT NO. 4

On page 2, line 5, change "(32)" to "(a)"

#### AMENDMENT NO. 5

On page 2, line 7, change "(33)" to "(b)"

#### AMENDMENT NO. 6

On page 2, line 9, change "(34)" to "(c)"

#### AMENDMENT NO. 7

On page 2, line 11, change "(35)" to "(d)"

#### AMENDMENT NO. 8

On page 2, between lines 13 and 14 insert the following:

"§966. Penalty for distribution or possession with intent to distribute narcotic drugs listed in Schedule I; possession of marijuana, possession of synthetic cannabinoids

\* \* \*

B. Penalties for violation of Subsection A. Any person who violates Subsection A with respect to:

\* \* \*

(3) A substance classified in Schedule I which is marijuana, tetrahydrocannabinols, or chemical derivatives of tetrahydrocannabinols, or synthetic cannabinoids shall upon conviction be sentenced to a term of imprisonment at hard labor for not less than five nor more than thirty years, and pay a fine of not more than fifty thousand dollars.

\* \* \*

E. Possession of marijuana, or synthetic cannabinoids. (1) Except as provided in Subsections E and F of this Section, on a first conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol, or chemical derivatives thereof, or synthetic cannabinoids the offender shall be fined not more than five hundred dollars, imprisoned in the parish jail for not more than six months, or both.

(2) Except as provided in Subsection F or G of this Section, on a second conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids the offender shall be fined not more than two thousand dollars, imprisoned with or without hard labor for not more than five years, or both.

(3) Except as provided in Subsection F or G of this Section, on a third or subsequent conviction for violation of Subsection C of this Section with regard to marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids the offender shall be sentenced to imprisonment with or without hard labor for not more than twenty years, and may, in addition, be sentenced to pay a fine of not more than five thousand dollars.

(4) A conviction for the violation of any other statute or ordinance with the same elements as R.S. 40:966(C) prohibiting the possession of marijuana, tetrahydrocannabinol or chemical derivatives thereof, or synthetic cannabinoids shall be considered as a prior conviction for the purposes of this Subsection relating to penalties for second, third, or subsequent offenders.

(5) A conviction for the violation of any other statute or ordinance with the same elements as R.S. 40:966(B)(3) prohibiting the distributing or dispensing or possession with intent to distribute or dispense marijuana, of marijuana,<sup>1</sup> tetrahydrocannabinol, or chemical derivatives thereof, or synthetic cannabinoids shall be considered as a prior conviction for the purposes of this Subsection relating to penalties for second, third, or subsequent offenders.

F. Except as otherwise authorized in this Part:

(1) Any person who knowingly or intentionally possesses sixty pounds or more, but less than two thousand pounds of marijuana, tetrahydrocannabinol, or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to serve a term of imprisonment at hard labor of not less than five years, nor more than thirty years, and to pay a fine of not less than fifty thousand dollars nor more than one hundred thousand dollars.

(2) Any person who knowingly or intentionally possesses two thousand pounds or more, but less than ten thousand pounds of marijuana, tetrahydrocannabinol, or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to serve a term of imprisonment at hard labor of not less than ten years nor more than forty years, and to pay a fine of not less than one hundred thousand dollars nor more than four hundred thousand dollars.

(3) Any person who knowingly or intentionally possesses ten thousand pounds or more of marijuana, tetrahydrocannabinol, or chemical derivatives thereof, or synthetic cannabinoids shall be sentenced to serve a term of imprisonment at hard labor of not less

than twenty-five years, nor more than forty years and to pay a fine of not less than four hundred thousand dollars nor more than one million dollars.

\* \* \*

On motion of Rep. Girod Jackson, the amendments were adopted.

Rep. Templet moved the final passage of the bill, as amended.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gallot	Mills
Anders	Geymann	Monica
Arnes	Gisclair	Montoucet
Arnold	Greene	Morris
Aubert	Guillory	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Hardy	Pearson
Baldone	Harrison	Perry
Barras	Hazel	Ponti
Barrow	Henderson	Pope
Billiot	Henry	Pugh
Brossett	Hill	Richard
Burford	Hines	Richardson
Burns, H.	Hoffmann	Richmond
Burns, T.	Howard	Ritchie
Burrell	Hutter	Robideaux
Carmody	Jackson G.	Roy
Carter	Jackson M.	Schroder
Champagne	Johnson	Simon
Chandler	Jones, R.	Smiley
Chaney	Jones, S.	Smith, G.
Connick	Katz	Smith, J.
Cortez	Kleckley	Smith, P.
Cromer	LaBruzzo	St. Germain
Danahay	LaFonta	Stiaes
Dixon	Lambert	Talbot
Doerge	Landry	Templet
Dove	LeBas	Thibaut
Downs	Leger	Thierry
Edwards	Ligi	Waddell
Ellington	Little	White
Fannin	Lopinto	Williams
Foil	Lorusso	Willmott
Franklin	McVea	Wooton

Total - 102

#### NAYS

Total - 0

#### ABSENT

Abramson

Total - 1

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Templet moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 191—

BY REPRESENTATIVES PERRY, ANDERS, ARNOLD, BOBBY BADON, BALDONE, BARRAS, BILLIOT, BROSSETT, BURFORD, HENRY BURNS, TIM BURNS, CARTER, CHAMPAGNE, CHANEY, CONNICK, CROMER, DOERGE, DOVE, HARDY, HENDERSON, HENRY, HINES, HOFFMANN, HUTTER, JOHNSON, LABRUZZO, LAMBERT, LEGER, LIGI, LORUSSO, MILLS, MONICA, NOWLIN, PEARSON, PUGH, RICHARD, ROBIDEAUX, SCHRODER, SIMON, SMILEY, JANE SMITH, ST. GERMAIN, TALBOT, TEMPLET, THIBAUT, THIERRY, WHITE, AND WILLIAMS AND SENATORS ALARIO, AMEDEE, APPEL, BROOME, CROWE, DUPLESSIS, HEITMEIER, KOSTELKA, LONG, MARTINY, MICHOT, MOUNT, SHAW, AND THOMPSON

#### AN ACT

To amend and reenact R.S. 15:529.1(A), (C), (D), and (E), relative to the habitual offender law; to provide for increased penalties for multiple sex offenses; to repeal statutory language authorizing the use of juvenile adjudications of delinquency to enhance penalty provisions for felony offenses; to provide for technical changes; and to provide for related matters.

Read by title.

### Motion

On motion of Rep. Perry, the bill was returned to the calendar.

### Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Perry gave notice of his intention to call House Bill No. 191 from the calendar on Wednesday, April 21, 2010.

### HOUSE BILL NO. 244—

BY REPRESENTATIVE KLECKLEY

#### AN ACT

To amend and reenact R.S. 22:1000(A)(1)(a)(vi) and (2) and 1003, to enact R.S. 22:1003.1, and to repeal R.S. 22:1002, relative to dependent health insurance coverage for children or grandchildren; to provide for such coverage up to the age of twenty-six; to delete the requirement for full-time student status; to delete the requirement for unmarried status; to provide for exceptions; to set certain requirements and restrictions for health insurance issuers and health maintenance organizations in providing such coverage; and to provide for related matters.

Read by title.

Rep. Kleckley sent up floor amendments which were read as follows:

### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Kleckley to Engrossed House Bill No. 244 by Representative Kleckley

#### AMENDMENT NO. 1

On page 1, line 4, after "coverage" delete "up to" and insert "until"

#### AMENDMENT NO. 2

On page 2, at the beginning of line 9, delete "through" and insert "until"

#### AMENDMENT NO. 3

On page 2, at the beginning of line 11, delete "through" and insert "until"

#### AMENDMENT NO. 4

On page 2, at the beginning of line 20, delete "through" and insert "until"

## Page 28 HOUSE

9th Day's Proceedings - April 13, 2010

### AMENDMENT NO. 5

On page 2, at the beginning of line 22, delete "through" and insert "until"

### AMENDMENT NO. 6

On page 3, line 21, after "grandparent," delete "through" and insert "until"

### AMENDMENT NO. 7

On page 4, delete lines 14 and 15 in their entirety and insert the following:

"B. For group plans in existence before March 30, 2010, only, the provisions of this Section shall apply only if the child is not eligible to enroll in an eligible employer-sponsored health plan. The provisions of this Subsection shall not apply for plan years beginning after January 1, 2014."

### AMENDMENT NO. 8

On page 4, line 27, after "grandchild" delete "through" and insert "until"

### AMENDMENT NO. 9

On page 5, at the end of line 7, delete "through" and insert "until"

### AMENDMENT NO. 10

On page 5, line 12, after "grandchild" delete "through" and insert "until"

### AMENDMENT NO. 11

On page 5, line 22, after "grandchild" delete "through" and insert "until"

### AMENDMENT NO. 12

On page 5, line 25, after "grandchildren" delete "through" and insert "until"

### AMENDMENT NO. 13

On page 6, delete lines 1 and 2 in their entirety and insert the following:

"B. For group plans in existence before March 30, 2010, only, the provisions of this Section shall apply only if the child is not eligible to enroll in an eligible employer-sponsored health plan. The provisions of this Subsection shall not apply for plan years beginning after January 1, 2014."

On motion of Rep. Kleckley, the amendments were adopted.

On motion of Rep. Fannin, the bill, as amended, was recommitted to the Committee on Appropriations.

### **HOUSE BILL NO. 271—** BY REPRESENTATIVE MILLS

#### AN ACT

To enact R.S. 14:102.24, relative to offenses affecting the public generally; to create the crime of unlawfully supplying any product for the purpose of falsifying a screening test; to provide for penalties; to create certain presumptions; to provide for definitions; and to provide for related matters.

Read by title.

Rep. Mills moved the final passage of the bill.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Geymann	Monica
Anders	Gisclair	Montoucet
Armes	Greene	Morris
Arnold	Guillory	Norton
Aubert	Guinn	Nowlin
Badon, A.	Hardy	Pearson
Badon, B.	Harrison	Perry
Baldone	Hazel	Ponti
Barras	Henderson	Pope
Barrow	Henry	Pugh
Billiot	Hill	Richardson
Brossett	Hoffmann	Richmond
Burns, H.	Hutter	Ritchie
Burns, T.	Jackson G.	Robideaux
Burrell	Jackson M.	Roy
Carmody	Johnson	Schroder
Carter	Jones, R.	Simon
Champagne	Jones, S.	Smiley
Chandler	Katz	Smith, G.
Chaney	Kleckley	Smith, J.
Connick	LaBruzzo	Smith, P.
Cortez	LaFonta	St. Germain
Danahay	Lambert	Stiaes
Dixon	Landry	Talbot
Doerge	LeBas	Templet
Dove	Leger	Thibaut
Downs	Ligi	Thierry
Ellington	Little	Waddell
Fannin	Lopinto	White
Foil	Lorusso	Williams
Franklin	McVea	Willmott
Gallot	Mills	Wooton
Total - 96		

#### NAYS

Total - 0

#### ABSENT

Abramson	Edwards	Richard
Burford	Hines	
Cromer	Howard	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Mills moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### **HOUSE BILL NO. 282—** BY REPRESENTATIVE ROY

#### AN ACT

To amend and reenact R.S. 9:3550(G)(3)(a)(iv) and to enact R.S. 22:887(I), relative to insurance policies and contracts; to provide relative to reinstatement of insurance policies and contracts subsequent to cancellation; and to provide for related matters.

Read by title.

Rep. Roy sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Roy to Engrossed House Bill No. 282 by Representative Roy

**AMENDMENT NO. 1**

On page 2, line 10, after "cured" delete "and request that insurance coverage be reinstated." and insert a period "."

On motion of Rep. Roy, the amendments were adopted.

Rep. Roy moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Gallot	Mills
Anders	Geymann	Monica
Armes	Gisclair	Montoucet
Arnold	Greene	Morris
Aubert	Guillory	Norton
Badon, A.	Guinn	Nowlin
Baldone	Hardy	Pearson
Barras	Harrison	Perry
Barrow	Hazel	Ponti
Billiot	Henderson	Pope
Brossett	Hill	Pugh
Burford	Hines	Richard
Burns, H.	Hoffmann	Richardson
Burns, T.	Hutter	Richmond
Burrell	Jackson G.	Ritchie
Carmody	Jackson M.	Robideaux
Carter	Johnson	Roy
Champagne	Jones, R.	Simon
Chandler	Jones, S.	Smiley
Chaney	Katz	Smith, G.
Connick	Kleckley	Smith, J.
Cortez	LaBruzzo	Smith, P.
Danahay	LaFonta	St. Germain
Dixon	Lambert	Stiaes
Doerge	Landry	Talbot
Dove	LeBas	Templet
Downs	Leger	Thibaut
Edwards	Ligi	Thierry
Ellington	Little	Waddell
Fannin	Lopinto	Williams
Foil	Lorusso	Willmott
Franklin	McVea	Wooton
Total - 96		

**NAYS**

Total - 0

**ABSENT**

Abramson	Henry	White
Badon, B.	Howard	
Cromer	Schroder	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Roy moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 1021—**

BY REPRESENTATIVE GREENE

**AN ACT**

To amend and reenact Sections 2 and 3 of Act No. 822 of the 2008 Regular Session of the Legislature, relative to inheritance and estate taxes; to provide relative to the prescription period for estate transfer taxes; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Greene moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Franklin	Monica
Anders	Gallot	Montoucet
Armes	Geymann	Morris
Arnold	Gisclair	Norton
Aubert	Greene	Nowlin
Badon, A.	Guillory	Pearson
Badon, B.	Guinn	Perry
Baldone	Hardy	Ponti
Barras	Harrison	Pope
Barrow	Hazel	Pugh
Billiot	Henderson	Richard
Brossett	Hill	Richardson
Burford	Hines	Richmond
Burns, H.	Hoffmann	Ritchie
Burns, T.	Hutter	Robideaux
Burrell	Jackson G.	Schroder
Carmody	Jackson M.	Simon
Carter	Johnson	Smiley
Champagne	Jones, R.	Smith, G.
Chandler	Jones, S.	Smith, J.
Chaney	Kleckley	Smith, P.
Connick	LaFonta	St. Germain
Cortez	Lambert	Stiaes
Cromer	Landry	Talbot
Danahay	LeBas	Templet
Dixon	Leger	Thibaut
Doerge	Ligi	Thierry
Dove	Little	Waddell
Edwards	Lopinto	White
Ellington	Lorusso	Williams
Fannin	McVea	Willmott
Foil	Mills	Wooton
Total - 96		

**NAYS**

Total - 0

**ABSENT**

Abramson	Howard	Roy
Downs	Katz	
Henry	LaBruzzo	
Total - 7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Greene moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

## Page 30 HOUSE

9th Day's Proceedings - April 13, 2010

### HOUSE BILL NO. 203—

BY REPRESENTATIVE TALBOT

#### AN ACT

To amend and reenact R.S. 22:341(C), relative to foreign and alien insurers; to provide relative to return of deposit upon withdrawal from the state; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Talbot moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gallot	Monica
Armes	Geymann	Montoucet
Arnold	Gisclair	Morris
Aubert	Greene	Norton
Badon, A.	Guillory	Nowlin
Badon, B.	Guinn	Pearson
Baldone	Hardy	Perry
Barras	Harrison	Ponti
Barrow	Hazel	Pope
Billiot	Henderson	Pugh
Brossett	Henry	Richard
Burford	Hill	Richardson
Burns, H.	Hines	Richmond
Burns, T.	Hoffmann	Ritchie
Burrell	Hutter	Robideaux
Carmody	Jackson G.	Roy
Carter	Jackson M.	Schroder
Champagne	Johnson	Simon
Chandler	Jones, R.	Smiley
Chaney	Jones, S.	Smith, G.
Connick	Katz	Smith, J.
Cortez	Kleckley	Smith, P.
Cromer	LaFonta	St. Germain
Danahay	Lambert	Stiaes
Dixon	Landry	Talbot
Doerge	LeBas	Templet
Dove	Leger	Thibaut
Downs	Ligi	Thierry
Edwards	Little	Waddell
Ellington	Lopinto	White
Fannin	Lorusso	Willmott
Foil	McVea	Wooton
Franklin	Mills	
Total - 99		

#### NAYS

Total - 0

#### ABSENT

Abramson	Howard
Anders	LaBruzzo
Total - 4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Talbot moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### HOUSE BILL NO. 960—

BY REPRESENTATIVE BURFORD

#### AN ACT

To amend and reenact R.S. 37:2504(F), relative to fees and costs which may be imposed by the Board of Examiners for Nursing Facility Administrators; to provide for the process by which the board may establish fees and costs; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Burford moved the final passage of the bill.

#### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. Speaker	Ellington	Little
Anders	Fannin	Lopinto
Armes	Foil	Lorusso
Arnold	Franklin	McVea
Aubert	Gallot	Mills
Badon, A.	Geymann	Monica
Badon, B.	Gisclair	Montoucet
Baldone	Guillory	Norton
Barras	Guinn	Nowlin
Barrow	Hardy	Pearson
Billiot	Harrison	Pope
Brossett	Hazel	Richardson
Burford	Henderson	Richmond
Burns, H.	Hill	Ritchie
Burns, T.	Hines	Robideaux
Burrell	Hoffmann	Schroder
Carmody	Hutter	Smiley
Carter	Jackson G.	Smith, G.
Champagne	Jackson M.	Smith, J.
Chandler	Johnson	Smith, P.
Chaney	Jones, R.	Stiaes
Connick	Jones, S.	Talbot
Cortez	Katz	Templet
Cromer	LaBruzzo	Thibaut
Danahay	LaFonta	Thierry
Dixon	Lambert	Waddell
Doerge	Landry	White
Dove	LeBas	Willmott
Downs	Leger	Wooton
Edwards	Ligi	
Total - 89		

#### NAYS

Total - 0

#### ABSENT

Abramson	Morris	Roy
Greene	Perry	Simon
Henry	Ponti	St. Germain
Howard	Pugh	Williams
Kleckley	Richard	
Total - 14		

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Burford moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 835—**  
BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 47:2243, 2245, and 2246 and to enact R.S. 47:2196(E), relative to redemption of properties adjudicated at tax sales; to provide for the lease, transfer, and sale of property adjudicated to the state for nonpayment of taxes for the years 1880 through 1973; to provide for redemption of property adjudicated to the state; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Dove sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Dove to Engrossed House Bill No. 835 by Representative Dove

**AMENDMENT NO. 1**

On page 1, line 15, change "Register" to "register"

**AMENDMENT NO. 2**

On page 1, line 16, change "State Land Office" to "state land office"

**AMENDMENT NO. 3**

On page 2, line 4, change "Register of the State" to "register of the state"

**AMENDMENT NO. 4**

On page 2, line 5, change "Land Office" to "land office"

**AMENDMENT NO. 5**

On page 2, line 15, change "Register of the State Land Office" to "register of the state land office"

On motion of Rep. Dove, the amendments were adopted.

Rep. Dove moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Lorusso
Anders	Gallot	Mills
Armes	Geymann	Monica
Aubert	Gisclair	Morris
Badon, A.	Greene	Norton
Badon, B.	Guillory	Nowlin
Baldone	Guinn	Pearson
Barras	Hardy	Perry
Barrow	Harrison	Ponti
Billiot	Hazel	Pugh
Brossett	Henderson	Richard
Burford	Henry	Richardson

Burns, H.  
Burns, T.  
Burrell  
Carmody  
Carter  
Champagne  
Chandler  
Chaney  
Connick  
Cortez  
Cromer  
Danahay  
Dixon  
Doerge  
Dove  
Downs  
Edwards  
Ellington  
Fannin  
Foil

Total - 96

Hill  
Hines  
Hoffmann  
Hutter  
Jackson G.  
Jackson M.  
Johnson  
Jones, R.  
Jones, S.  
Katz  
Kleckley  
LaBruzzo  
LaFonta  
Lambert  
Landry  
LeBas  
Leger  
Ligi  
Little  
Lopinto

Richmond  
Ritchie  
Robideaux  
Roy  
Schroder  
Simon  
Smiley  
Smith, G.  
Smith, J.  
Smith, P.  
St. Germain  
Stiaes  
Talbot  
Templet  
Thibaut  
Thierry  
Waddell  
White  
Williams  
Wooton

NAYS

Total - 0

ABSENT

Abramson  
Arnold  
Howard  
Total - 7

McVea  
Montoucet  
Pope

Willmott

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dove moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 842—**  
BY REPRESENTATIVE DOVE  
AN ACT

To amend and reenact R.S. 41:131, 133, 134(D), and 135 and to enact R.S. 41:1338(A)(2)(c), relative to sale of public lands; to provide for the sale of property adjudicated to the state for nonpayment of taxes for the years 1880 through 1973; to provide for the advertisement of sale of property adjudicated to the state; and to provide for the disposition of proceeds from the sale of property adjudicated to the state; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Dove sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Dove to Engrossed House Bill No. 842 by Representative Dove

**AMENDMENT NO. 1**

On page 1, line 19, change "Register" to "register"

**AMENDMENT NO. 2**

On page 1, line 20, change "State Land Office" to "state land office"

## Page 32 HOUSE

9th Day's Proceedings - April 13, 2010

### AMENDMENT NO. 3

On page 2, line 18, change "Register of the State Land Office" to "register of the state land office"

### AMENDMENT NO. 4

On page 2, line 20, change "Register of the State Land" to "register of the state land"

### AMENDMENT NO. 5

On page 2, line 21, change "Office" to "office"

### AMENDMENT NO. 6

On page 2, line 23, change "Register of the State Land Office" to "register of the state land office"

### AMENDMENT NO. 7

On page 3, lines 7 and 22, change "Register of the State Land Office" to "register of the state land office"

On motion of Rep. Dove, the amendments were adopted.

Rep. Dove moved the final passage of the bill, as amended.

### **ROLL CALL**

The roll was called with the following result:

#### YEAS

Mr. Speaker	Franklin	McVea
Anders	Gallot	Mills
Armes	Geymann	Monica
Arnold	Gisclair	Montoucet
Aubert	Greene	Morris
Badon, A.	Guillory	Norton
Badon, B.	Guinn	Nowlin
Baldone	Hardy	Pearson
Barras	Harrison	Perry
Barrow	Hazel	Pugh
Billiot	Henderson	Richard
Brossett	Henry	Richardson
Burford	Hill	Richmond
Burns, H.	Hines	Ritchie
Burns, T.	Hoffmann	Robideaux
Burrell	Hutter	Roy
Carmody	Jackson G.	Schroder
Carter	Jackson M.	Simon
Champagne	Johnson	Smiley
Chandler	Jones, R.	Smith, G.
Chaney	Jones, S.	Smith, J.
Connick	Katz	Smith, P.
Cortez	Kleckley	St. Germain
Cromer	LaBruzzo	Stiaes
Danahay	LaFonta	Talbot
Dixon	Lambert	Templet
Doerge	Landry	Thibaut
Dove	LeBas	Thierry
Downs	Leger	Waddell
Edwards	Ligi	White
Ellington	Little	Williams
Fannin	Lopinto	Wooton
Foil	Lorusso	

Total - 98

#### NAYS

Total - 0

#### ABSENT

Abramson	Ponti	Willmott
Howard	Pope	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dove moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

### **HOUSE BILL NO. 1031—**

BY REPRESENTATIVE WHITE

#### AN ACT

To amend and reenact R.S. 49:112, relative to claims against the state; to prohibit division of administration from allowing certain claims; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. White moved the final passage of the bill.

### **ROLL CALL**

The roll was called with the following result:

#### YEAS

Mr. Speaker	Gallot	Mills
Anders	Geymann	Monica
Armes	Gisclair	Montoucet
Arnold	Greene	Morris
Aubert	Guillory	Norton
Badon, A.	Guinn	Nowlin
Badon, B.	Hardy	Pearson
Baldone	Harrison	Perry
Barras	Hazel	Ponti
Barrow	Henderson	Richard
Billiot	Henry	Richardson
Brossett	Hill	Richmond
Burford	Hines	Ritchie
Burns, T.	Hoffmann	Robideaux
Burrell	Hutter	Roy
Carmody	Jackson G.	Schroder
Carter	Jackson M.	Simon
Champagne	Johnson	Smiley
Chandler	Jones, R.	Smith, G.
Chaney	Jones, S.	Smith, P.
Connick	Katz	St. Germain
Cortez	Kleckley	Stiaes
Cromer	LaBruzzo	Talbot
Danahay	LaFonta	Templet
Dixon	Lambert	Thibaut
Doerge	LeBas	Thierry
Dove	Leger	Waddell
Edwards	Ligi	White
Ellington	Little	Williams
Fannin	Lopinto	Willmott
Foil	Lorusso	
Franklin	McVea	
Total - 94		

#### NAYS

Total - 0

#### ABSENT



Abramson	Howard	Pugh
Burns, H.	Landry	Smith, J.
Downs	Pope	Wooton
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. White moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 902—**  
BY REPRESENTATIVE ARNOLD  
AN ACT

To enact R.S. 9:2796(C), relative to Mardi Gras parades; to provide that the terms "krewe", "organization", and "nonprofit organization" shall include any service provider; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Arnold sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Arnold to Engrossed House Bill No. 902 by Representative Arnold

**AMENDMENT NO. 1**

On page 1, line 11, after "any" delete the remainder of the line and insert the following:

"manufacturer or lessor of a trailer or float used in the parade or of a vehicle used to tow a trailer or float in the parade. However, the limitation of liability provided by this Section shall not extend to any claim or cause of action against a manufacturer or lessor for damages arising from the failure in the design, manufacture, or maintenance of the trailer or float."

On motion of Rep. Arnold, the amendments were adopted.

Rep. Arnold moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Downs	Mills
Anders	Ellington	Monica
Armes	Fannin	Norton
Arnold	Foil	Nowlin
Aubert	Franklin	Pearson
Badon, A.	Guinn	Ponti
Badon, B.	Hardy	Pugh
Barras	Harrison	Richardson
Barrow	Hazel	Richmond
Billiot	Henderson	Ritchie
Brossett	Henry	Robideaux
Burford	Hill	Schroder
Burns, H.	Hines	Simon
Burns, T.	Hoffmann	Smiley
Burrell	Hutter	St. Germain
Carmody	Jackson G.	Talbot

Carter	Jackson M.	Templet
Champagne	Katz	Thibaut
Chandler	Kleckley	Thierry
Chaney	LaBruzzo	Waddell
Cortez	Landry	White
Danahay	Ligi	Williams
Dixon	Little	Wooton
Doerge	Lorusso	
Dove	McVea	
Total - 73		

**NAYS**

Baldone	Johnson	Perry
Connick	Jones, R.	Richard
Cromer	LaFonta	Roy
Edwards	Lambert	Smith, G.
Gallot	LeBas	Smith, P.
Gisclair	Leger	Stiaes
Greene	Lopinto	Willmott
Total - 21		

**ABSENT**

Abramson	Howard	Morris
Geymann	Jones, S.	Pope
Guillory	Montoucet	Smith, J.
Total - 9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Arnold moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Notice of Intention to Call**

Pursuant to House Rule No. 8.26(A), Rep. Rosalind Jones gave notice of her intention to call House Bill No. 691 from the calendar on Wednesday, April 21, 2010.

**Suspension of the Rules**

On motion of Rep. Robideaux, the rules were suspended in order to take up and consider Petitions, Memorials, and Communications at this time.

**Petitions, Memorials, and Communications**

The following petitions, memorials, and communications were received and read:

**Message from the Senate**

**HOUSE CONCURRENT RESOLUTIONS**

April 13, 2010

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 102  
Returned without amendments

House Concurrent Resolution No. 104  
Returned without amendments

---

## Page 34 HOUSE

9th Day's Proceedings - April 13, 2010

---

House Concurrent Resolution No. 106  
Returned without amendments

House Concurrent Resolution No. 107  
Returned without amendments

Respectfully submitted,  
  
GLENN A. KOEPP  
Secretary of the Senate

### Message from the Senate ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

April 13, 2010

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 6

Respectfully submitted,  
  
GLENN A. KOEPP  
Secretary of the Senate

### Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

#### HOUSE CONCURRENT RESOLUTION NO. 108— BY REPRESENTATIVE AUSTIN BADON A CONCURRENT RESOLUTION

To recognize Wednesday, April 14, 2010, as Adult Education Awareness Day at the Louisiana State Capitol.

Read by title.

On motion of Rep. Austin Badon, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

### Introduction of House Bills and Joint Resolutions

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

#### HOUSE BILL NO. 1279— BY REPRESENTATIVE GALLOT AN ACT

To amend and reenact R.S. 24:11, relative to extraordinary sessions of the legislature; to provide for the form of a legislative petition for an extraordinary session of the legislature to be convened by the presiding officers of both houses of the legislature and for procedures relative to such petitions; to provide relative to the time and duration of such extraordinary sessions; and to provide for related matters.

Read by title.

#### HOUSE BILL NO. 1280— BY REPRESENTATIVE ROSALIND JONES AND SENATOR PETERSON AN ACT

To enact R.S. 47:841.2, relative to a tax on tobacco; to authorize certain political subdivisions to levy an excise tax on cigarettes; to provide relative to the purpose of the excise tax; to require voter approval of such tax; to provide for certain requirements and limitations; and to provide for related matters.

Read by title.

#### HOUSE BILL NO. 1281— BY REPRESENTATIVE FOIL AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2010-2011 to be used to pay the consent judgment against the Department of Transportation and Development in the suit entitled "Charles Tagliarino, et al v. Allstate Insurance Company, et al"; and to provide for related matters.

Read by title.

#### HOUSE BILL NO. 1282— BY REPRESENTATIVE GALLOT AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2010-2011 to be used to pay the consent judgment in the suit entitled "James D. Smith v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Read by title.

#### HOUSE BILL NO. 1283— BY REPRESENTATIVE DANAHAY AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 2010-2011 to be used to pay the consent judgment in the suit entitled "Judy Stanford v. State of Louisiana, through the Department of Transportation and Development"; and to provide for related matters.

Read by title.

#### HOUSE BILL NO. 1284— BY REPRESENTATIVE GIROD JACKSON AN ACT

To enact R.S. 38:2212.8 and R.S. 39:1502.2 and 1598.1, relative to disadvantaged business enterprises; to provide for participation goals for disadvantaged business enterprises in certain public contracts; to provide for definitions; and to provide for related matters.

Read by title.

### Suspension of the Rules

On motion of Rep. Katz, the rules were suspended in order to take up and consider House and House Concurrent Resolutions at this time.

### House and House Concurrent Resolutions Lying Over

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

### Motion

On motion of Rep. Katz, the Committee on Judiciary was discharged from further consideration of House Concurrent Resolution No. 56.

#### HOUSE CONCURRENT RESOLUTION NO. 56—

BY REPRESENTATIVES KATZ, EDWARDS, ELLINGTON, GISCLAIR, MCVEA, MONICA, AND SCHRODER AND SENATORS ADLEY, N. GAUTREAUX, MARIONNEAUX, MURRAY, RISER, AND SHAW

#### A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Veterans Affairs to work in conjunction with the National Foundation for Women Legislators and the Center for Women Veterans at the United States Department of Veterans Affairs to encourage all female veterans to advise agency officials of their specific needs and concerns so that policy solutions may be advanced to improve the quality of life of female veterans.

Read by title.

On motion of Rep. Katz, the resolution was adopted.

Ordered to the Senate.

### Suspension of the Rules

On motion of Rep. Timothy Burns, the rules were suspended in order to take up and consider Reports of Committees at this time.

### Reports of Committees

The following reports of committees were received and read:

#### Report of the Committee on Civil Law and Procedure

April 13, 2010

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Bill No. 31, by Kleckley  
Reported favorably. (12-0) (Local & Consent)

House Bill No. 33, by Connick  
Reported favorably. (13-0) (Local & Consent)

House Bill No. 38, by Connick  
Reported favorably. (13-0) (Local & Consent)

House Bill No. 41, by Connick  
Reported with amendments. (15-0) (Regular)

House Bill No. 51, by Champagne (Joint Resolution)  
Reported without amendments (CL&P only). (13-0) (Regular)

House Bill No. 66, by Burns, Tim  
Reported favorably. (14-0) (Local & Consent)

House Bill No. 215, by Greene  
Reported with amendments. (15-0) (Regular)

House Bill No. 228, by Pearson (Joint Resolution)  
Reported without amendments (CL&P only). (11-0) (Regular)

House Bill No. 329, by Pearson (Joint Resolution)  
Reported without amendments (CL&P only). (11-0) (Regular)

House Bill No. 782, by Cromer  
Reported with amendments. (10-0) (Regular)

House Bill No. 802, by Burns, Tim  
Reported with amendments. (14-0) (Regular)

House Bill No. 803, by Burns, Tim  
Reported with amendments. (14-0) (Regular)

House Bill No. 804, by Burns, Tim  
Reported with amendments. (12-0) (Regular)

House Bill No. 805, by Burns, Tim  
Reported favorably. (13-0) (Local & Consent)

House Bill No. 806, by Burns, Tim  
Reported favorably. (11-0) (Local & Consent)

House Bill No. 808, by Burns, Tim  
Reported favorably. (11-0) (Local & Consent)

House Bill No. 811, by Burns, Tim  
Reported favorably. (12-0) (Regular)

House Bill No. 1133, by Arnold  
Reported with amendments. (13-0) (Regular)

TIMOTHY G. "TIM" BURNS  
Chairman

#### Report of the Committee on Commerce

April 13, 2010

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Commerce to submit the following report:

House Bill No. 115, by Arnold  
Reported with amendments. (12-0) (Regular)

House Bill No. 209, by Arnold  
Reported favorably. (14-0) (Local & Consent)

House Bill No. 335, by Arnold  
Reported favorably. (14-0) (Local & Consent)

House Bill No. 340, by Arnold  
Reported with amendments. (13-0) (Regular)

House Bill No. 341, by Smiley  
Reported favorably. (12-0) (Regular)

House Bill No. 345, by Arnold  
Reported favorably. (12-0) (Regular)

House Bill No. 370, by Arnold  
Reported favorably. (12-0) (Local & Consent)

House Bill No. 386, by Hutter  
Reported favorably. (14-0) (Regular)

House Bill No. 449, by Nowlin  
Reported with amendments. (11-0) (Regular)

House Bill No. 1028, by Waddell  
Reported favorably. (12-0) (Regular)

House Bill No. 1207, by Arnold

## Page 36 HOUSE

9th Day's Proceedings - April 13, 2010

Reported with amendments. (12-0) (Regular)

House Bill No. 1222, by Arnold  
Reported with amendments. (14-0) (Regular)

JEFFERY "JEFF" J. ARNOLD  
Chairman

### **Report of the Committee on Transportation, Highways, and Public Works**

April 13, 2010

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways,  
and Public Works to submit the following report:

House Bill No. 485, by Billiot  
Reported with amendments. (16-0) (Regular)

House Bill No. 493, by Connick  
Reported favorably. (12-0) (Regular)

House Bill No. 494, by Billiot  
Reported with amendments. (16-0) (Regular)

House Bill No. 522, by Jackson, Girod  
Reported with amendments. (16-0) (Regular)

House Bill No. 646, by Brossett  
Reported favorably. (17-0) (Local & Consent)

House Bill No. 718, by Hines  
Reported by substitute. (15-0-1) (Regular)

House Bill No. 1052, by Jackson, Girod  
Reported favorably. (14-0) (Local & Consent)

House Bill No. 1193, by Richmond  
Reported with amendments. (16-0) (Regular)

House Bill No. 1221, by Richmond  
Reported with amendments. (11-4) (Regular)

NITA RUSICH HUTTER  
Chairwoman

### **Report of the Committee on Ways and Means**

April 13, 2010

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit  
the following report:

House Bill No. 602, by Smith, Gary  
Reported with amendments. (13-0) (Regular)

House Bill No. 604, by Champagne  
Reported with amendments. (14-0) (Regular)

HUNTER V. GREENE  
Chairman

### **Privileged Report of the Committee on Enrollment**

April 13, 2010

To the honorable Speaker and Members of the House of  
Representatives:

I am directed by your Committee on Enrollment to submit the  
following report:

The following House Resolutions have been properly enrolled:

#### **HOUSE RESOLUTION NO. 25—**

BY REPRESENTATIVES KATZ, ABRAMSON, ANDERS, ARMES,  
ARNOLD, AUBERT, AUSTIN BADON, BOBBY BADON, BALDONE,  
BARRAS, BARROW, BILLIOT, BROSSETT, BURFORD, HENRY BURNS,  
TIM BURNS, BURRELL, CARMODY, CARTER, CHAMPAGNE,  
CHANDLER, CHANEY, CONNICK, CORTEZ, CROMER, DANAHAY,  
DIXON, DOERGE, DOVE, DOWNS, EDWARDS, ELLINGTON, FANNIN,  
FOIL, FRANKLIN, GALLOT, GEYMAN, GISCLAIR, GREENE,  
GUILLORY, GUINN, HARDY, HARRISON, HAZEL, HENDERSON,  
HENRY, HILL, HINES, HOFFMANN, HOWARD, HUTTER, GIROD  
JACKSON, MICHAEL JACKSON, JOHNSON, ROSALIND JONES, SAM  
JONES, KLECKLEY, LABRUZZO, LAFONTA, LAMBERT, LANDRY,  
LEBAS, LEGER, LIGI, LITTLE, LOPINTO, LORUSSO, MCVEA, MILLS,  
MONICA, MONTUCET, MORRIS, NORTON, NOWLIN, PEARSON,  
PERRY, PONTI, POPE, PUGH, RICHARD, RICHARDSON, RICHMOND,  
RITCHIE, ROBIDEAUX, ROY, SCHRODER, SIMON, SMILEY, GARY  
SMITH, JANE SMITH, PATRICIA SMITH, ST. GERMAIN, STIAES,  
TALBOT, TEMPLET, THIBAUT, THIERRY, TUCKER, WADDELL,  
WHITE, WILLIAMS, WILLMOTT, AND WOOTON

#### **A RESOLUTION**

To recognize Monday, April 12, 2010, as Capitol Day for the Cure  
and to commend Susan G. Komen for the Cure for its  
unwavering dedication to the fight against breast cancer.

Respectfully submitted,

WAYNE WADDELL  
Chairman

The above House Resolutions contained in the report were  
signed by the Speaker of the House and taken by the Clerk of the  
House to the Secretary of State in accordance with the rules of the  
House.

### **Privileged Report of the Committee on Enrollment**

April 13, 2010

To the honorable Speaker and Members of the House of  
Representatives:

I am directed by your Committee on Enrollment to submit the  
following report:

The following House Concurrent Resolutions have been  
properly enrolled:

#### **HOUSE CONCURRENT RESOLUTION NO. 98—**

BY REPRESENTATIVES LAFONTA, HENDERSON, HUTTER, AND  
LEGER

#### **A CONCURRENT RESOLUTION**

To commend SDT Waste and Debris, LLC, and its owner and  
president Sidney D. Torres, IV, on their success in cleaning up  
New Orleans and helping to restore the image and reputation of  
the city as a tourist destination.

#### **HOUSE CONCURRENT RESOLUTION NO. 100—**

BY REPRESENTATIVE LEBAS

#### **A CONCURRENT RESOLUTION**

To commend all persons who are registered as organ and tissue  
donors in Louisiana, and all efforts to increase awareness among  
Louisiana citizens of the lifesaving benefits of organ donation.

**HOUSE CONCURRENT RESOLUTION NO. 101—**

BY REPRESENTATIVE LEBAS

**A CONCURRENT RESOLUTION**

To commend the efforts of the United States that are designed to enhance and develop foreign markets for goods and services through federal programs.

Respectfully submitted,

WAYNE WADDELL  
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

**Motion**

Rep. Katz moved to suspend the rules to permit the Committee on Health and Welfare to consider House Bill No. 617 that was not listed on the weekly committee schedule as required by House Rule 14.23.

Rep. Richmond objected.

By a vote of 21 yeas and 49 nays, the House refused to suspend the rules to permit the Committee on Health and Welfare to consider House Bill No. 617.

**Suspension of the Rules**

On motion of Rep. Austin Badon, the rules were suspended to permit the Committee on Education to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 934

**Suspension of the Rules**

On motion of Rep. Dove, the rules were suspended to permit the Committee on Natural Resources and Environment to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 897

**Adjournment**

On motion of Rep. Brossett, at 5:45 P.M., the House agreed to adjourn until Wednesday, April 14, 2010, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Wednesday, April 14, 2010.

ALFRED W. SPEER  
Clerk of the House

**Committee Meeting Notices**

The following committees posted notices as follows:

**Committee on Administration of Criminal Justice**

Will meet at: 8:30 am Date: April 14, 2010

Location: Committee Room 5

**HB 57 DANAHAY PRIVATE INVESTIGATORS** Increases penalty for violation of private investigator law

**HB 79 JONES, SAM CRIME/ASSAULT** Creates the crime of aggravated assault with a motor vehicle upon a peace officer

**HB 112 LITTLE LAW ENFORCE/OFFICERS** Creates the crime of obstructing a law enforcement officer

**HB 123 BALDONE CRIME** Creates the crime of tampering with surveillance, accounting, inventory, or monitoring systems

**HB 169 JONES, ROSALIND CRIME** Adds fine and restitution to aggravated flight from an officer

**HB 192 LITTLE CRIMINAL/PROCEDURE** Requires the fingerprinting of certain defendants upon conviction of domestic abuse battery or failure to pay child support

**HB 193 LOPINTO CRIME/SEX OFFENSES** Authorizes the use of administrative subpoenas when investigating sex offenses involving children through use of a computer

**HB 232 GEYMANN CRIME/RAPE** Provides with respect to simple rape

**HB 254 LEGER CRIMINAL/PROCEDURE** Authorizes certain individuals to view certain videotaped statements

**HB 320 RICHARDSON CRIMINAL/PROCEDURE** Provides for the confiscation and destruction of a criminal instrument

**HB 355 PEARSON PARDON/PAROLE** Authorizes nonprofit victim's rights advocacy organizations to nominate members to the Board of Pardons, Board of Parole, and the Crime Victims Reparations Board

**HB 621 PEARSON PARDON/PAROLE** Authorizes warrantless searches of persons on parole supervision by commissioned law enforcement officers

**HB 728 LITTLE CRIME/RACKETEERING** Amends the La. Racketeering Act

**HB 908 LOPINTO WITNESSES/CRIMINAL** Provides relative to the issuance of certain subpoenas

**HB 1244 BARRAS CRIME/THEFT** Provides for criminal penalties for attempted theft of certain amounts

Ernest D. Wooton  
Chairman

**Committee on Education**

Will meet at: 9:00 am Date: April 14, 2010

Location: Committee Room 1

**HB 46 HUTTER CURRICULA** Requires instruction with respect to dating violence in public schools

**HB 303 HENRY STUDENT/HOME STUDY** Provides relative to eligibility of certain home study students to participate in interscholastic athletics at secondary schools that are members of the LHSAA

**HB 399 PEARSON TEACHERS/LEAVE** Exempts, under specified fiscal conditions, a local school board from

## Page 38 HOUSE

9th Day's Proceedings - April 13, 2010

complying with the requirement that the board grant certain requests for sabbatical leave

**HB 400 PEARSON SCHOOLS/EMPLOYEES** Exempts, under specified fiscal conditions, a local school board from complying with the requirement that the board permit certain employees to take up to 90 days of extended sick leave

**HB 402 PEARSON HIGHER ED/BD REGENTS** Requires the Board of Regents to broadcast on the Internet the audio and video of all board and committee meetings conducted in Baton Rouge and to archive the audio and video of such meetings

**HB 403 PEARSON BESE** Requires BESE to broadcast on the Internet the audio and video of all board and committee meetings conducted in Baton Rouge and to archive the audio and video of such meetings

**HB 425 HOFFMANN TEACHERS/CERTIFICATION** Provides relative to the certification of principals and authorizes certain fees related to certification of the teachers, principals, and other educators

**HB 443 HUTTER COLLEGES/UNIVERSITIES** Provides relative to campuses designated as part of the Louisiana Technical College

**HB 709 BROSSETT EDUCATION** Provides relative to the New Orleans Center for the Creative Arts (NOCCA)

**HB 732 NORTON STUDENT/DISCIPLINE** Prohibits corporal punishment in public elementary and secondary schools

**HB 1180 SMITH, PATRICIA TEXTBOOKS/MATERIALS** Authorizes local public school boards to use state funds to purchase instructional technology and related hardware

**HB 388 SMITH, PATRICIA SCHOOLS/CHARTER** Provides relative to teachers transferring to a charter school from a local school system

**HB 580 SMITH, PATRICIA EDUCATION/SPECIAL** Authorizes certain special schools to share services and functions under certain conditions

**HB 934 NOWLIN (TBA) COLLEGES/UNIVERSITIES** Provides for additional purposes for which public postsecondary education management boards shall use revenues from oil, gas, and mineral leases (**Subject to Rule Suspension**)

Austin J. Badon, Jr.  
CHAIRMAN

### Committee on Health and Welfare

Will meet at: 9:00 am Date: April 14, 2010

Location: Committee Room 6

**HB 233 GEYMANN DRUGS** Deletes Carisoprodol from provision of law regarding legend drugs

**HB 343 WILLMOTT NURSES** Provides authority for registered nurses to administer anesthetic doses through perineural catheters

**HB 380 HUTTER HOSPITALS** Provides for the definition of "rural hospital"

**HB 615 KATZ SUNSET LAW** Provides for the re-creation of the Department of Social Services

**HB 616 BARROW HEALTH/DHH** Allows DHH to create a pilot program to provide preterm labor management services for Medicaid-eligible women with high risk pregnancies

**HB 766 TUCKER NURSING HOMES** Makes changes to the Medicaid case mix reimbursement methodology for nursing homes

**HB 1198 KATZ SOCIAL SERVICES DEPT** Provides for the transfer of functions of Louisiana Rehabilitation Services from the Department of Social Services to the Louisiana Workforce Commission and the Department of Health and Hospitals.

Kay Kellogg Katz  
CHAIRMAN

### Committee on House and Governmental Affairs

Will meet at: 9:00 am Date: April 14, 2010

Location: Committee Room 3

**HB 62 ABRAMSON LIEUTENANT GOVERNOR** Prohibits a person appointed to fill a vacancy in the office of lieutenant governor when the unexpired term exceeds one year from being a candidate in the election to fill the remainder of the term

**HB 247 GREENE PUBLIC PRINTING** Eliminates requirement that the Acts of the legislature be published in the official journal of the state

**HB 248 GREENE PUBLIC PRINTING** (Constitutional Amendment) Eliminates requirement that the Acts of the legislature be published in the official journal of the state

**HB 309 GREENE PUBLIC PRINTING** Provides relative to certain public printing requirements

**HB 318 GREENE PUBLIC PRINTING** Provides relative to needs assessments for public printing

**HB 476 GREENE PUBLIC PRINTING** Provides relative to public printing requirements

**HB 477 GREENE PUBLIC PRINTING** Prohibits pictures of public officials or employees above a certain size in public documents

**HB 610 KATZ PUBLIC RECORDS** Extends public records exemption to all practitioners licensed by the La. State Board of Medical Examiners

**HB 625 BARROW ELECTIONS/RECALL** Provides relative to recall elections

**HB 632 LORUSSO PRINTING** Provides relative to reports required to be submitted to the legislature

**HB 650 EDWARDS ELECTED OFFICIALS/STATEW** Provides that a statewide elected official who takes certain actions seeking another office has ipso facto resigned from office

**HB 722 GREENE PUBLIC PRINTING** Relative to distribution of the Acts of the legislature by the secretary of state

**HB 765 GREENE OFFICIAL JOURNALS** Changes the "Official Journal of the State" from a newspaper to the Legislature's website

**HB 789 CROMER SECRETARY OF STATE** Modifies the definition of "Official Journal of the State" to include the legislature's website for purposes related to publication of Acts of the legislature

**HB 935 TALBOT PUBLIC MEETINGS** Provides for notice of public meetings

**HB 939 KATZ PUBLIC MEETINGS** Allows agencies responsible for licensing health care professionals to hold an executive session following an administrative adjudication hearing

**HB 1162 RICHARD ELECTIONS/RECALL** Provides for procedures relative to recall elections

**HB 1212 ARNOLD OFFICIAL JOURNALS** Relative to official journals and electronic publication

**HCR 57 LORUSSO U.S. CONSTITUTION** Applies to congress to call a convention pursuant to Article V of the U.S. Constitution to propose an amendment regarding a presidential line item veto for appropriation bills

**HCR 59 LORUSSO U.S. CONSTITUTION** Applies to congress to call a convention pursuant to Article V of the U.S. Constitution to propose an amendment regarding a requirement that bills be confined to a single object and a prohibition on amendments that are not germane to the bill as introduced

**HCR 62 LORUSSO U.S. CONSTITUTION** Applies to congress to call a convention pursuant to Article V of the U.S. Constitution to propose an amendment regarding a requirement for a supermajority vote to levy a new tax, increase an existing tax, or repeal an existing tax exemption

**HCR 63 LORUSSO U.S. CONSTITUTION** Applies to congress to call a convention pursuant to Article V of the U.S. Constitution to propose an amendment regarding term limits for members of congress

**HCR 64 LORUSSO U.S. CONSTITUTION** Applies to congress to call a convention pursuant to Article V of the U.S. Constitution to propose an amendment regarding a limitation on the authority of congress to pass legislation pursuant to the general welfare clause in Article I, Section 8 of the U.S. Constitution

**HCR 65 LORUSSO U.S. CONSTITUTION** Applies to congress to call a convention pursuant to Article V of the U.S. Constitution to propose an amendment regarding a requirement to reduce the federal debt through annual appropriations

**HCR 66 LORUSSO U.S. CONSTITUTION** Applies to congress to call a convention pursuant to Article V of the U.S. Constitution to propose an amendment regarding an overall spending limitation on the federal budget

**HCR 67 LORUSSO U.S. CONSTITUTION** Applies to congress to call a convention pursuant to Article V of the U.S. Constitution to propose an amendment regarding a limitation on the authority of congress to pass legislation pursuant to the necessary and proper clause in Article I, Section 8 of the U.S. Constitution

**HCR 68 LORUSSO U.S. CONSTITUTION** Applies to congress to call a convention pursuant to Article V of the U.S. Constitution to propose a balanced budget amendment

**HCR 69 LORUSSO U.S. CONSTITUTION** Applies to congress to call a convention pursuant to Article V of the U.S. Constitution to propose an amendment regarding a limitation on the authority of congress to pass legislation pursuant to the commerce clause in Article I, Section 8 of the U.S. Constitution

Richard "Rick" Gallot, Jr.  
CHAIRMAN

**Committee on Insurance**

Will meet at: 9:30 am Date: April 14, 2010

Location: Committee Room 2

**HB 44 KLECKLEY INSURANCE/PROPERTY** Requires insurers to include certain information relative to refund of certain assessments levied by the La. Citizens Property Insurance Corporation with policies sent to insureds

**HB 239 KLECKLEY INSURERS** Requires each authorized insurer and health maintenance organization to produce and maintain a written insurance anti-fraud plan

**HB 285 PEARSON INSURANCE/SURPLUS LINE** Exempts surplus lines insurance delivered by approved unauthorized insurers from laws regarding form and rate filing and approval

**HB 299 CORTEZ INSURANCE COMMISSIONER** Authorizes the commissioner of insurance to promulgate rules and regulations relative to certain federal laws subject to legislative oversight

**HB 581 KLECKLEY INSURANCE/POLICIES** Provides for vehicle component coverage contracts

**HB 619 PEARSON INSURANCE/HEALTH-ACCID** Provides relative to state continuation of group health and accident insurance coverage upon termination of employment

**HB 706 ABRAMSON INSURANCE/PROPERTY** Provides relative to application to the Louisiana Citizens Property Insurance Corporation for coverage and issuance and renewal of a policy by such corporation

**HB 717 ROY INSURANCE/HEALTH-ACCID** Provides for conditions and prohibitions during withdrawal from health insurance markets in this state

**HB 744 ROY INSURANCE/HEALTH-ACCID** Limits discontinuation or cancellation of health insurance coverage under certain circumstances

**HB 932 GALLOT INSURANCE/AUTOMOBILE** Prohibits a policyholder under a motor vehicle liability policy from permitting any person excluded from coverage to drive the covered vehicle

**HB 1147 GALLOT INSURANCE/AUTOMOBILE** Prohibits a policyholder from allowing any person excluded from liability coverage to drive the covered vehicle

**HB 1148 GALLOT INSURANCE/AUTOMOBILE** Prohibits the exclusion of any person from coverage under a motor vehicle liability policy

---

## Page 40 HOUSE

9th Day's Proceedings - April 13, 2010

---

**HB 1247 HOFFMANN INSURANCE/HEALTH** Prohibits coverage of elective abortions by health insurance issuers

Charles E. "Chuck" Kleckley  
CHAIRMAN

### Committee on Natural Resources and Environment

Will meet at: 9:00 am Date: April 14, 2010

Location: Committee Room 4

**HCR 33 KATZ ENVIRONMENT/AIR** Memorializes congress to stop EPA from unilaterally regulating carbon dioxide emissions

**HB 119 SIMON ENVIRONMENT/LITTERING** Provides for printed materials distributed by means of attachment to the windshield or windshield wiper as litter

**HB 861 ARNOLD PETROLEUM/OIL-GAS** Authorizes the use of alternative refrigerants in mobile air conditioning systems

**HB 891 LAMBERT ENVIRONMENT/QUALITY DEPT** Provides for the organization of the Dept. of Environmental Quality

**HB 892 ST. GERMAIN ENVIRONMENT/SOLID WASTE** Provides for the definition of a solid waste facility

**HB 893 CHAMPAGNE ENVIRONMENT/PERMITS** Provides for the authority to issue notifications of inclusion for certain permits

**HB 894 CHAMPAGNE ENVIRONMENT/SOLID WASTE** Authorizes regulatory permits for certain solid waste facilities

**HB 895 MORRIS ENVIRONMENT** Provides for asbestos abatement

**HB 896 ST. GERMAIN ENVIRONMENT/SOLID WASTE** Provides for the term for permits of certain solid waste facilities

**HB 897 FOIL (TBA) ENVIRONMENT/AIR** Provides for motor vehicle inspections in ozone nonattainment areas (**Subject to Rule Suspension**)

**HB 898 ST. GERMAIN SUNSET LAW** Re-creates the Department of Environmental Quality

**HB 904 BADON, AUSTIN ENVIRONMENT/SOLID WASTE** Provides for buffer zones for solid waste landfill facilities

**HB 913 CHAMPAGNE ENVIRONMENT/WATER** Provides for Dept. of Environmental Quality revolving loan programs

**HB 1020 BADON, AUSTIN COASTAL RES/COASTAL ZONE** Provide for buffer zone for borrow pits sites

**HB 1163 ST. GERMAIN ENVIRONMENT/PERMITS** Provides for notice to and review by certain permit holders of changes made by the Dept. of Environmental Quality

**HB 1169 WHITE ENVIRONMENT/AIR** Provides for toxic air pollution emissions

**HB 1177 ST. GERMAIN ENVIRONMENT/WASTE SITES** Provides for the waste tire program

**HB 1253 ST. GERMAIN ENVIRONMENT/SOLID WASTE** Provides for solid waste disposal facility requirements

**HB 1255 BADON, AUSTIN ANIMALS** Provides relative to voluntary surrender of illegal animals to the Department of Wildlife and Fisheries

Consideration of the sale by the Division of Administration of the following property:

Department of Social Services, Vacant Office Building, 301 First Street, Lake Providence, Louisiana, East Carroll Parish

Gordon E. Dove, Sr.  
CHAIRMAN